

(Senator Krueger in the Chair.)

Senator Spears offered the following amendment to the bill:

Amend H. B. 395 by changing the period on line 39 of the printed bill to a semicolon, and adding the following after the semicolon:

"provided, however, nothing in this Act shall be construed to prevent the imposition of minimum and maximum age restrictions for law enforcement peace officers or for firefighters."

The amendment was read.

Question—Shall the amendment by Senator Spears to H. B. No. 395 be adopted?

(President in the Chair.)

Senate Bill 510 on First Reading

By unanimous consent the following local bill was introduced, read first time and referred to the committee indicated:

By Senator Moore:

S. B. No. 510, A bill to be entitled "An Act authorizing the Texas National Guard Armory Board to convey certain lands in Limestone County, Texas; describing the manner of sale and disposition of proceeds; reserving to the State of Texas certain portions of the oil, gas and other minerals in and under said lands or that may be produced therefrom, together with all bonuses, rents or royalties derived therefrom; providing for the leasing of said minerals; and declaring an emergency."

To the Committee on State Affairs.

House Bill 688 Re-referred

On motion of Senator Moffett and by unanimous consent H. B. No. 688 was withdrawn from the Committee on State Affairs and re-referred to the Committee on State Departments and Institutions.

Welcome Resolutions

S. R. No. 506—By Senator Ratliff: Extending welcome to students, teachers and sponsors of Sagerton High School.

S. R. No. 507—By Senator Herring: Extending welcome to students and teacher of Leander School of Williamson County.

S. R. No. 508—By Senator Krueger: Extending welcome to students and teachers of Brenham Elementary Schools.

S. R. No. 509—By Senator Kennard: Extending welcome to Mrs. Bill Haworth et al.

S. R. No. 510—By Senator Parkhouse: Extending welcome to Saint Cecile's School of Dallas County.

S. R. No. 512—By Senator Colson: Extending welcome to students and superintendent of Trinity High School of Trinity County.

S. R. No. 513—By Senator Word: Extending welcome to Kenneth Sparks of Cleburne.

Recess

On motion of Senator Dies the Senate at 4:01 o'clock p.m. took recess until 9:30 o'clock a.m. tomorrow.

SIXTY-SIXTH DAY

(Continued)

(Thursday, May 9, 1963)

After Recess

The Senate met at 9:30 o'clock a.m., and was called to order by Senator Hardeman.

Message from the House

Hall of the House of Representatives
Austin, Texas,
May 9, 1963.

Hon. Preston Smith, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 1058, A bill to be entitled "An Act fixing the open season for killing wild quail in Atascosa County; fixing the number of quail that any person may kill or have in possession at any time; fixing a penalty for violation thereof; and declaring an emergency."

H. B. No. 138, A bill to be entitled "An Act amending Acts 54th Legislature, chapter 497, page 1243; Acts 55th Legislature, chapter 210, page 435, codified as Article 542c-7, V.A.C.S. of Texas; providing a severability clause; repealing all laws in conflict; and declaring an emergency."

H. B. No. 228, A bill to be entitled "An Act providing that the Department of Welfare shall be responsible in certain instances for finding fathers who desert their families and fail to support their children; providing for the mother's or guardian's responsibility; providing for severability; and declaring an emergency."

H. B. No. 243, A bill to be entitled "An Act to provide that any person certified to teach in the public schools of Texas who holds a bachelor of laws degree shall have his minimum salary calculated on the basis of a master's degree; and declaring an emergency."

H. B. No. 287, A bill to be entitled "An Act amending Article 1318 of the Penal Code of the State of Texas, 1925, to prohibit the wilfull burning of certain items; and declaring an emergency."

H. B. No. 289, A bill to be entitled "An Act amending Senate Bill No. 36, page 544, General Laws of the State of Texas, Forty-sixth Legislature, Regular Session, 1939, as amended by House Bill No. 611, Chapter 562, Page 914, General and Special Laws of the State of Texas, Forty-seventh Legislature, Regular Session, 1941, as amended, which is codified as Article 695c, Vernon's Texas Civil Statutes, by amending Subsection (7) of Section 4 of said Article; providing for the elimination of the four (4) year residence requirement for employees of the State Department of Public Welfare; providing for a repealing clause, a saving clause; and declaring an emergency."

H. B. No. 389, A bill to be entitled "An Act amending Section 6 of Chapter 177, General Laws of the State of Texas, Acts of the Forty-second Legislature, Regular Session, 1931, compiled as Article 46a of Vernon's Texas Civil Statutes, as last amended by Chapter 344, Acts of the Fifty-seventh Legislature, Regular Session, 1961, so as to clarify the adoption procedure and to safeguard the confidentiality of the records in the case of the children of parents whose parental rights have been terminated by the Juvenile Court or other court of competent jurisdiction; providing a repealing clause, a saving clause, and declaring an emergency."

H. B. No. 412, A bill to be entitled

"An Act to authorize the appointment of an official shorthand reporter of the 31st Judicial District of Texas; fixing maximum and minimum salary to be paid in addition to compensation for transcripts, statements of fact and other fees; and fixing allowance for travel and hotel expense; providing the time, method and manner of payment; repealing all laws or parts of laws in conflict; providing a saving clause; and declaring an emergency."

H. B. No. 418, A bill to be entitled "An Act relating to public health and Welfare; to provide for confidential information received by the State Department of Health, medical organizations, hospitals, hospital committees, or other organizations in the course of a medical study for the purpose of reducing morbidity or mortality; to provide that such information and material so furnished may be used only for the purpose of advancing medical research, medical education, statistical and other studies; to provide for general publication of a summary of said studies; to provide an exemption from legal liability for those furnishing such information and for those studying and publishing the results and summaries of such studies; and to provide that such material and information and any findings or conclusions of such groups shall be privileged; and declaring an emergency."

H. B. No. 420, A bill to be entitled "An Act permitting the Game and Fish Commission of the State of Texas, when requested by authorized representatives of units of the University of Texas System and the Texas Agricultural and Mechanical College System, engaged in teaching and research related to marine science and oceanography, to transfer to the University of Texas System and the Texas Agricultural and Mechanical College System fish nets, seines, motors, boats, and other marine equipment, which have been confiscated under the game and fish laws, to be used in the teaching and research programs of said institutions; and declaring an emergency."

H. B. No. 443, A bill to be entitled "An Act to amend Article 135 of the Revised Civil Statutes, 1925, as amended, and declaring an emergency."

H. B. No. 516, A bill to be entitled

"An Act abolishing the office of County Attorney of Upshur County and creating the office of Criminal District Attorney of Upshur County; providing for appointment of the Criminal District Attorney until the next general election, and thereafter for his election; prescribing his qualifications, powers, duties, and compensation; providing for appointment and compensation of an assistant and a secretary, and prescribing the powers and duties of the assistant; authorizing payment of expenses of the Criminal District Attorney and his assistant; making other provisions to effectuate the purpose of the Act; and declaring an emergency."

H. B. No. 536, A bill to be entitled "An Act authorizing the commissioners court in each of certain counties to furnish an automobile, including expenses of operation thereof, to each county commissioner for use in official business, repealing conflicting laws; and declaring an emergency."

H. B. No. 589, A bill to be entitled "An Act amending Paragraph (b) of Section 1, Chapter 63, Acts of the 57th Legislature, Third Called Session, 1962, to provide that no state funds shall be used to supplement the salary of county judges in certain counties for serving in an ex officio capacity as county superintendent; and declaring an emergency."

H. B. No. 607, A bill to be entitled "An Act authorizing the commissioners court in certain counties to furnish an automobile, including expenses of operation thereof, to each county commissioner for use in official business; repealing conflicting laws; and declaring an emergency."

H. B. No. 610, A bill to be entitled "An Act fixing an open archery season on wild buck deer in Angelina County, from October 26 to November 15 of each year, both dates inclusive; and declaring an emergency."

H. B. No. 634, A bill to be entitled "An Act amending Sections 31 to Section 39, inclusive, and Section 49 of the Texas Mental Health Code, Chapter 243, Page 505, Acts of the Fifty-fifth Legislature, Regular Session, 1957, codified as Vernon's Revised Civil Statutes of Texas, Article 5547-31 to Article 5547-39, inclusive,

and Article 5547-49, by adding four new sections numbered Section 39a, Section 39b, Section 39c, and Section 39d, providing for the right of appeal from orders of temporary hospitalization, observation and treatment; and amending Sections 36 and 49 respectively, providing for closed hearings on the Application for Temporary Hospitalization, Observation and Treatment of a proposed patient and/or on the Petition for Indefinite Commitment of a person to a mental hospital, only when the consent of the proposed patient or person first shall have been obtained, and declaring an emergency."

H. B. No. 653, A bill to be entitled "An Act amending Article 6820 of the Revised Civil Statutes of Texas, 1925, as amended, relating to payment from state funds of all actual and necessary expenses incurred by district judges and district attorneys when engaged in the discharge of their official duties in any county in this state other than the county of their residence; and declaring an emergency."

H. B. No. 672, A bill to be entitled "An Act relating to and fixing minimum and maximum salary of the official shorthand reporter for the 75th Judicial District of Texas; providing for severability; and declaring an emergency."

H. B. No. 724, A bill to be entitled "An Act making unlawful the taking, killing or disturbing of sea turtles or their eggs; and declaring an emergency."

H. B. No. 728, A bill to be entitled "An Act amending Section 1, Chapter 493, Acts of the Fifty-second Legislature, 1951, as amended, prescribing the deer season in Harrison County; providing that deer with pronged horns and other deer as permitted by the Game and Fish Commission may be killed in Harrison County; and declaring an emergency."

H. B. No. 729, A bill to be entitled "An Act providing for employment of one juvenile officer to serve any or all counties within the 69th Judicial District, and establishing means for fixing and paying the salary and expenses of such juvenile officer; providing that any school district, city or town within the 69th Judicial District may participate in using the serv-

ices of such juvenile officer by meeting certain conditions; and declaring an emergency."

H. B. No. 752, A bill to be entitled "An Act relating to the creation of a conservation and reclamation district to be known as the Lower Rio Grande Water Conservancy District, and providing for its administration, rights, powers, duties, and operating procedures; authorizing the district court to punish for contempt in certain cases; providing that the act shall be cumulative of other acts where not inconsistent or in conflict; providing for severability; and declaring an emergency."

H. B. No. 766, A bill to be entitled "An Act providing for the salary and payment thereof of the official shorthand reporter of the 88th Judicial District of Texas; and declaring an emergency."

H. B. No. 769, A bill to be entitled "An Act amending Article 2135 of the Revised Civil Statutes of Texas, 1925, as amended, to provide certain additional exemptions from jury service; and declaring an emergency."

H. B. No. 771, A bill to be entitled "An Act authorizing the employment of a stenographer or secretary for the County Judge in all counties of the State having a population of not less than forty-one thousand (41,000) inhabitants and not more than forty-three thousand (43,000) inhabitants according to the last preceding Federal Census; and declaring an emergency."

H. B. No. 779, A bill to be entitled "An Act repealing Chapter 49, Acts of the 44th Legislature, Regular Session, Spec. Laws 1935, which prohibit oyster dredging in the Head Waters of Matagorda Bay; and declaring an emergency."

H. B. No. 780, A bill to be entitled "An Act granting the Texas Game and Fish Commission comprehensive authority to regulate the taking of alligators in Matagorda County; prescribing standards for the exercise of this authority; providing procedure and other matters relevant to the exercise of this authority; providing a penalty for violation of regulations adopted by the commission under this Act; and declaring an emergency."

H. B. No. 811, A bill to be entitled "An Act to authorize and require the appointment of an official shorthand reporter of the 100th Judicial District of Texas; fixing maximum and minimum salary to be paid in addition to compensation for transcripts, statements of facts and other fees; and fixing allowance for travel and hotel expense; providing the time, method and manner of payment; repealing all laws or parts of laws in conflict; providing a saving clause; and declaring an emergency."

H. B. No. 858, A bill to be entitled "An Act relating to and fixing minimum and maximum salaries of the official shorthand reporter for the 15th Judicial District of Texas; providing a severability clause; and declaring an emergency."

H. B. No. 1014, A bill to be entitled "An Act to authorize and require the appointment of an official shorthand reporter of the 50th Judicial District of Texas; fixing a maximum and minimum salary to be paid in addition to compensation for transcripts, statement of facts and other fees; and fixing allowance for travel and hotel expense; providing the time, method and manner of payment; repealing all laws or parts of laws in conflict; providing a saving clause; and declaring an emergency."

H. B. No. 939, A bill to be entitled "An Act providing for the compensation of the official shorthand reporters of the 9th Judicial District of Texas; providing for the manner of payment; and declaring an emergency."

H. B. No. 940, A bill to be entitled "An Act providing for the compensation of the official shorthand reporter of the Second 9th Judicial District of Texas; providing for the manner of payment; and declaring an emergency."

H. B. No. 974, A bill to be entitled "An Act amending Section 2 of Senate Bill No. 33, Chapter 44, Acts of the 57th Legislature, 3rd Called Session, 1962; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 975, A bill to be entitled "An Act amending Section 2 of Senate Bill No. 32, Chapter 43, Acts of the 57th Legislature, 3rd Called Session, 1962; repealing all laws and

parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 1022, A bill to be entitled "An Act amending Chapter 78, Acts of the 57th Legislature, Third Called Session, 1962, by inserting a new Section 2A providing for the appointment of the Juvenile and Probation Officer of Runnels County by the Juvenile Board; describing his duties; providing for his compensation; and declaring an emergency."

H. B. No. 976, A bill to be entitled "An Act amending Section 1 of Article 8309 Revised Civil Statutes of Texas, 1925, as amended, defining words and phrases used in the Workmen's Compensation Act, to apply the provisions of this law to every employer without regard to whether the employer operates a trade, business, profession or occupation, in which an employee is engaged at the time of receiving an injury, for the purpose of making a profit or not; and to provide that term 'injury sustained in the course of employment' includes any injury sustained by an employee while rendering any service for his employer at the request of his employer; and declaring an emergency."

H. B. No. 991, A bill to be entitled "An Act authorizing the commissioner's court of certain counties in this State to issue bonds and levy taxes for the purpose of acquiring, constructing and equipping county workhouses and county farms for certain purposes, including the acquisition or purchase of sites therefor; authorizing the issuing of refunding bonds to refund outstanding bonds issued under the provisions of this Act; containing terms and provisions relating to such bonds and refunding bonds; validating bonds heretofore authorized at elections and the election proceedings relating thereto, and providing for the issuance thereof; providing a severability clause; and declaring an emergency."

H. B. No. 1023, A bill to be entitled "An Act restricting lands on which a person may hunt, take or kill wild fox in Angelina County; providing a penalty; and declaring an emergency."

H. B. No. 1024, A bill to be entitled "An Act relating to the creation, administration, and financing of a hospital district to be known as the

Booker Hospital District, to be located in the western quarter of Lipscomb County, Texas; providing a severability clause; and declaring an emergency."

H. B. No. 1050, A bill to be entitled "An Act regulating the taking or killing of deer and squirrel in Smith County; defining the seasons; providing for the number and type of deer that may be taken or killed during the season, regulating the use of certain types of guns; providing for a penalty; and declaring an emergency."

H. B. No. 1060, A bill to be entitled "An Act making it unlawful to hunt Axis deer in LaSalle County; providing that this Act shall terminate on January 1, 1965, and shall be of no further force or effect thereafter; suspending all laws in conflict with this Act during the operation of this Act; and declaring an emergency."

H. B. No. 1027, A bill to be entitled "An Act authorizing the commissioners court of Jim Hogg County to supplement the salary of the District Judge of the 49th Judicial District of Texas, making other provisions relating thereto, and declaring an emergency."

H. B. No. 1051, A bill to be entitled "An Act amending Sections 1, 2, 5, and 6, Chapter 502, Acts of the 51st Legislature, Regular Session, 1949, and Section 3, Chapter 502, Acts of the 51st Legislature, Regular Session, 1949, as amended, to provide for certain power and authority of Board of Trustees or Boards of Regents of public junior colleges in relation to libraries, library buildings, and other buildings including the powers and authority to enter into lease and rental agreements with certain municipalities; repealing conflicting laws; providing a severability clause; and declaring an emergency."

H. B. No. 1031, A bill to be entitled "An Act amending Chapter 244, Acts of the Fifty-Seventh Legislature, creating Rotan Municipal Water Authority by providing that certain additional territory shall be contained therein; providing for an election to be held in such added territory for the assumption of its proper portion of the indebtedness of the authority; providing that if such election fails to receive a majority vote, the Board

of Directors shall detach such territory; enacting other provisions related to the subject; and declaring an emergency."

H. B. No. 1059, A bill to be entitled "An Act making it unlawful to hunt wild turkey in Wilson County; providing that this Act shall terminate on January 1, 1965, and shall be of no further force or effect thereafter; suspending all laws in conflict with this Act during the operation of this Act; and declaring an emergency."

H. B. No. 1067, A bill to be entitled "An Act amending Section 2 of Chapter 175, page 360, Acts of the Fifty-Sixth Legislature, 1959 (codified in Vernon's Texas Civil Statutes as Article 8280-221), relating to Hays County-Wimberley Water Supply District, by giving said District sanitary sewer system powers and authority to issue bonds therefor; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

H. B. No. 938, A bill to be entitled "An Act to amend Article 3.53, Insurance Code of Texas, as amended, to subject all credit life, health and accident insurance to uniform regulation by the Commissioner of Insurance, and setting forth such regulation; providing for severability; and declaring an emergency."

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 515

Senator Crump offered the following resolution:

Whereas, Today is the birthday of our esteemed colleague, Senator Criss Cole; and

Whereas, It is the desire of the Senate to extend greetings and felicitations to him on this anniversary of his birth; now, therefore, be it

Resolved, That we wish him happy birthday and many happy returns of the day.

HARDEMAN
CRUMP

Signed—Preston Smith, Lieutenant Governor; Aikin, Bates, Blanchard, Calhoun, Colson, Creighton, Dies, Hall, Harrington, Hazlewood, Herring, Kazen, Kennard, Krueger, Mof-fett, Moore, Owen, Parkhouse, Pat-man, Ratliff, Reagan, Richter, Rogers,

Schwartz, Spears, Strong, Watson, Word.

The resolution was read.

On motion by Senator Spears and by unanimous consent the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was then adopted.

Senate Resolution 516

Senator Krueger by unanimous consent offered the following resolution:

Whereas, On this day, May 9, 1963, an Autograph Party is being held at the Wharton County Library in Wharton, Texas, to honor Mrs. Clarissa Beard Northington of Egypt, Wharton County, Texas, upon the publication of her book of poetry "The Long White Road," illustrated by her own art work; and

Whereas, Clarissa Beard Northington, wife of rancher Mentor Northington, is widely traveled and an omnivorous reader, combining the charm of the Southern gentlewoman with that of the modern sophisticate; and

Whereas, Mrs. Northington first attracted public notice as a painter having successful exhibits at the Houston Museum of Fine Arts, at the Ney Museum at Austin, Texas, and at Galleries in Dallas and other cities; and

Whereas, All Texans are invited to join on this occasion in congratulating Mrs. Clarissa Beard Northington, whose whole life has been a testimony to greatness in the fields of travel, literature, poetry and painting and who is a continuing inspiration to all who love the finer things in life; now, therefore, be it

Resolved, By the Senate of the State of Texas that we do congratulate this gracious and talented lady on this occasion which brings honor to her and to her community, state and nation.

The resolution was read and was adopted.

Motion in Writing

Senator Calhoun submitted the following Motion in Writing:

I ask unanimous consent that no interruptions for substituting bills or adding bills or for introductions be made during the consideration of the local calendar today.

CALHOUN.

The motion was read and was adopted.

Local and Uncontested Bills Session

The Presiding Officer announced that the time had arrived for the consideration of the Local and Uncontested Bills Calendar in accordance with a motion previously adopted by the Senate.

Senate Bill 340 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 340, A bill to be entitled "An Act amending Statutes by increasing the amount of the bond required for a license to operate under said Act as a dealer; clarifying the Act as regards which persons are protected by the Act; clarifying other Sections of the Act; repealing all laws in conflict; and declaring an emergency."

The bill was read second time.

Senator Bates offered the following committee amendment to the bill:

Amend S. B. No. 340 by deleting Section 15 in its entirety and renumbering the remaining sections.

The committee amendment was adopted.

On motion of Senator Bates and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 340 on Third Reading

Senator Bates moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 340 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Crump
Bates	Dies
Blanchard	Hall
Calhoun	Hardeman
Cole	Harrington
Colson	Hazlewood
Creighton	Herring

Kazen	Reagan
Kennard	Richter
Krueger	Rogers
Moffett	Schwartz
Moore	Spears
Owen	Strong
Parkhouse	Watson
Patman	Word
Ratliff	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Senate Bill 466 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 466, A bill to be entitled "An Act to provide that any person certified to teach in the public schools of Texas who holds a bachelor of laws degree shall have his minimum salary calculated on the basis of a master's degree; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 466 on Third Reading

Senator Bates moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 466 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Bates
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Blanchard	Moffett
Calhoun	Moore
Cole	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word
Krueger	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Watson
Kazen	Word
Kennard	

Nays—2

Hall Strong

Senate Bill 326 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 326, A bill to be entitled "An Act relating to requiring the Commissioners Court of Lubbock County to supplement the salaries of the District Judges of the 72nd, 99th, and 140th Judicial Districts of Texas; making other provisions relating thereto; providing a severability clause; and declaring an emergency."

The bill was read second time.

Senator Blanchard offered the following amendment to the bill:

Amend Section 1 of Senate Bill No. 326 to read as follows:

"Section 1. The Commissioners Court of Lubbock County shall pay to each of the judges of the 72nd, 99th, and 140th Judicial Districts, for services rendered to Lubbock County in performing administrative duties therein, the sum of Thirty-five Hundred Dollars (\$3,500) annually. The sum provided for herein shall be paid in equal monthly installments out of the general fund or officers salary fund of Lubbock County, and the Commissioners Court of Lubbock County shall make proper budget provisions therefor."

The amendment was adopted.

On motion of Senator Blanchard and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 326 on Third Reading

Senator Blanchard moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 326 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Calhoun
Bates	Blanchard

Cole	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Hall	Reagan
Hardeman	Richter
Harrington	Rogers
Hazlewood	Schwartz
Herring	Spears
Kazen	Strong
Kennard	Watson
Krueger	Word
Moffett	

Senate Bill 370 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 370, A bill to be entitled "An Act amending Section 1, Chapter 175, Acts of the 50th Legislature, Regular Session, 1947 (compiled as Article 2632c of Vernon's Texas Civil Statutes), to permit Texas Technological College to increase the acreage not to exceed five and one-half (5.5) acres of land that may be leased to the United States for an armory and the term of the lease not to exceed a period of ninety-nine (99) years; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 370 on Third Reading

Senator Blanchard moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 370 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Calhoun	Moore
Blanchard	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Calhoun	Moore
Blanchard	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Senate Bill 461 on Second Reading

The Presiding officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 461, A bill to be entitled "An Act authorizing the Texas National Guard Armory Board to convey certain lands in Harris County, Texas, describing the manner of sale and disposition of proceeds; reserving to the State of Texas all of the oil, gas and other minerals in and under said lands or that may be produced therefrom, together with all bonuses, rents, or royalties derived therefrom; providing for the leasing of said minerals; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 461 on Third Reading

Senator Cole moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 461 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Creighton
Bates	Crump
Calhoun	Dies
Blanchard	Hall
Cole	Hardeman
Colson	Harrington

Hazlewood	Ratliff
Herring	Reagan
Kazen	Richter
Kennard	Rogers
Krueger	Schwartz
Moffett	Spears
Moore	Strong
Owen	Watson
Parkhouse	Word
Patman	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Senate Bill 488 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 488, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as 'Sagemont Municipal Utility District of Harris County, Texas'; etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 488 on Third Reading

Senator Cole moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 488 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Senate Bill 495 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 495, A bill to be entitled "An Act amending Section 1 of Chapter 215, Acts of the 56th Legislature, Regular Session, 1959, to increase the compensation of court reporters in all counties having a population of one million (1,000,000) or more inhabitants according to the last preceding federal census; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 495 on Third Reading

Senator Cole moved that Senate

32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 496 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Senate Bill 496 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 496, A bill to be entitled "An Act amending Article 6597, Revised Civil Statutes of Texas, 1925, to authorize full and complete consolidated, or master, indexes of real property records in counties having a population of 1,200,000 people, or more, according to the latest federal

census, providing for the repeal to the extent of conflict only of all laws or parts of laws in conflict; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 496 on Third Reading

Senator Cole moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 496 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Senate Bill 497 on Second Reading

The Presiding Officer laid before

the Senate on its second reading and passage to engrossment:

S. B. No. 497, A bill to be entitled "An Act authorizing the Commissioners' Court of counties having a population of 1,200,000, or more, people according to the latest federal census, to sell, lease, or otherwise dispose of personal property of said counties, providing a repealing clause; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 497 on Third Reading

Senator Cole moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 497 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Herring
Bates	Kazen
Blanchard	Kennard
Calhoun	Krueger
Cole	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Hall	Ratliff
Hardeman	Reagan
Harrington	Richter
Hazlewood	Rogers

Schwartz	Watson
Spears	Word
Strong	

Senate Bill 491 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 491, A bill to be entitled "An Act to provide for issuance of a patent on certain land in Montague County; and containing an emergency clause."

The bill was read second time and was passed to engrossment.

Senate Bill 491 on Third Reading

Senator Creighton moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 491 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Hardeman
Bates	Harrington
Blanchard	Hazlewood
Calhoun	Herring
Cole	Kazen
Colson	Kennard
Creighton	Krueger
Crump	Moffett
Dies	Moore
Hall	Owen

Parkhouse	Schwartz
Patman	Spears
Ratliff	Strong
Reagan	Watson
Richter	Word
Rogers	

Senate Bill 506 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 506, A bill to be entitled "An Act authorizing the Commissioners Courts of the counties of the 1st Judicial District to supplement the salary of the District Attorney of the 1st Judicial District; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 506 on Third Reading

Senator Dies moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 506 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Colson
Bates	Creighton
Blanchard	Crump
Calhoun	Dies
Cole	Hall

Hardeman	Patman
Harrington	Ratliff
Hazlewood	Reagan
Herring	Richter
Kazen	Rogers
Kennard	Schwartz
Krueger	Spears
Moffett	Strong
Moore	Watson
Owen	Word
Parkhouse	

Senate Bill 482 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 482, A bill to be entitled "An Act to provide for the classification of certain patented lands in Reeves County and the issuance of a corrected patent to the State to conform to said reclassification; and containing an emergency clause."

The bill was read second time and was passed to engrossment.

Senate Bill 482 on Third Reading

Senator Calhoun moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 482 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Bates
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Blanchard	Moffett
Calhoun	Moore
Cole	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word
Krueger	

Senate Bill 467 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 467, A bill to be entitled "An Act amending the Texas Shrimp Conservation Act by adding thereto a new Section 11A, making it lawful to transport in Texas coastal waters, under certain conditions, any trawl or equipment lawfully used in the waters of another state or foreign nation; and declaring an emergency."

The bill was read second time.

Senator Harrington offered the following amendment to the bill:

Amend Senate Bill No. 467 by striking all below the enacting clause and substituting in lieu thereof the following:

"Section 1. The Texas Shrimp Conservation Act, Chapter 187, Acts of the 56th Legislature, 1959 (compiled as Article 4075b of Vernon's Texas Civil Statutes), is amended by adding thereto a new Section 11A, reading as follows:

'Section 11a. Notwithstanding any other provision of this Act, it shall be lawful to possess or have on board any boat in the coastal waters of Orange or Jefferson County any trawl and the spreading device therefor which may be lawfully used in the coastal waters of another state, provided (1) that such trawl and equipment are immediately en route to or from a home port or destination on land, (2) that such trawl and equipment have been used during open season on shrimp in such state, and (3) that such trawl and equipment are not used or intended for use in the coastal waters of this state in violation of this Act.'

Section 2. The importance of this legislation and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

On motion of Senator Harrington and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 467 on Third Reading

Senator Harrington moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 467 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Creighton
Bates	Crump
Blanchard	Dies
Calhoun	Hall
Cole	Hardeman
Colson	Harrington

Hazlewood	Ratliff
Herring	Reagan
Kazen	Richter
Kennard	Rogers
Krueger	Schwartz
Moffett	Spears
Moore	Strong
Owen	Watson
Parkhouse	Word
Patman	

Senate Bill 468 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 468, A bill to be entitled "An Act authorizing the Game and Fish Commission to regulate the taking of shrimp from the coastal waters of Orange and Jefferson Counties, and to regulate the sale, transportation, possession and other handling thereof; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment:

Senate Bill 468 on Third Reading

Senator Harrington moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 468 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Senate Bill 160 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 160, A bill to be entitled "An Act amending Section Thirty-Six of the Texas Trust Act, and particularly Subsections A and B thereof, to conform with the provisions of Subsection K of Section Four of said Act; etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment:

Senate Bill 160 on Third Reading

Senator Herring moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 160 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Senate Bill 414 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 414, A bill to be entitled "An Act amending Article 8.03 of the Texas Business Corporation Act, as amended, and Article 21.43 of the Insurance Code, as amended, so as to provide that foreign corporations and foreign insurance corporations whose names are the same, or deceptively similar to, certain other corporations and insurance corporations shall be issued certificates of authorization to do business in Texas provided different names are used and assumed name certificates are filed in a certain manner; providing a severability clause; repealing conflicting laws; and declaring an emergency."

The bill was read second time.

Senator Kennard offered the following committee amendment to the bill:

Amend S. B. 414 by deleting Section 1 and inserting in lieu thereof the following:

"Section 1. Article 8.03 of the Texas Business Corporation Act, as amended by Section 4, Chapter 206, Acts of the 57th Legislature, Regular Session, 1961, is hereby amended to read as follows:

"Art. 8.03. Corporate Name of Foreign Corporation.

A. No certificate of authority shall be issued to a foreign corporation unless the corporate name of such corporation:

(1) Shall contain the word "corporation," "company," "incorporated," or "limited," or shall contain an abbreviation of one (1) of such words, or such corporation shall, for use in this State, add at the end of its name one (1) of such words or an abbreviation thereof.

(2) Shall not be the same as, or deceptively similar to, the name of any domestic corporation existing under the laws of this State or of any foreign corporation authorized to transact business in this State, or a name the exclusive right to which is, at the time, reserved or registered in the manner provided in this Act; provided that a name may be similar if written consent is obtained from the existing corporation having the name deemed to be similar or the person, or corporation, for whom the name deemed to be similar is reserved or registered in the office of the Secretary of State. In the event that such consent is not given, a certificate of authority shall be issued as provided in this Act to any foreign corporation having a name the same as, or deceptively similar to, the name of any domestic corporation existing under the laws of this State or of any foreign corporation authorized to transact business in this state, or a name the exclusive right to which is, at the time, reserved or registered in accordance with this Act, provided such foreign corporation files an assumed name certificate, setting forth a different name, with the Secretary of State and with county clerks as provided by Article 5924, Revised Civil Statutes of Texas, 1925, as amended, and provided further that no such foreign corporation shall transact or conduct any business in this State except under such assumed name."

The Committee amendment was adopted.

On motion of Senator Kennard and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 414 on Third Reading

Senator Kennard moved that Sen-

ate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 414 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Senate Bill 266 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 266, A bill to be entitled "An Act to establish depositories for Texas state documents, and declaring an emergency."

The bill was read second time.

Senator Owen offered the following committee amendment to the bill:

Amend Senate Bill No. 266 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. The term 'state document' as used in this Act means all publications of state agencies which the Texas State Library is authorized by Revised Civil Statutes (1925) Article 5442 to acquire and distribute.

"Sec. 2. The term 'depository libraries' as used in this Act means the Texas State Library, libraries of state institutions of higher education, and other libraries so designated by the Texas Library and Historical Commission upon determination that such designations are necessary to provide adequate access to state documents.

"Sec. 3. Each state agency shall furnish the Texas State Library with state documents in the quantities specified in the Revised Civil Statutes (1925) Article 5442.

"Sec. 4. State documents shall be made available to depository libraries under the direction of the Texas State Library.

"Sec. 5. To facilitate distribution of state documents, each state agency shall furnish the Texas State Library with a list of state documents which it has issued during the preceding month, this list to be reproduced and distributed to all depository libraries and to such other agencies and institutions which request this list.

"Sec. 6. Free use by the general public shall be a condition of depository privilege.

"Sec. 7. The provisions of this Act shall be construed as additional and cumulative to all other laws.

"Sec. 8. This Act shall take effect August 31, 1963.

"Sec. 9. The importance of this legislation and the crowded conditions of the calendar create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and it is so enacted."

The committee amendment was adopted.

Senator Owen offered the following committee amendment to the bill:

Amend Senate Bill No. 266 by

striking out all above the enacting clause and substituting in lieu thereof the following:

"An Act to establish depository libraries with authority in the Director and Librarian of the Texas State Library, requiring certain acts to be performed to facilitate distribution of State documents, and declaring an emergency."

The committee amendment was adopted.

The bill as amended was passed to engrossment.

Senate Bill 266 on Third Reading

Senator Owen moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 266 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Harrington
Bates	Hazlewood
Blanchard	Herring
Calhoun	Kazen
Cole	Kennard
Colson	Krueger
Creighton	Moffett
Crump	Moore
Dies	Owen
Hall	Parkhouse
Hardeman	Patman

Ratliff	Spears
Reagan	Strong
Richter	Watson
Rogers	Word
Schwartz	

Senate Bill 288 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 288, A bill to be entitled "An Act amending Section 4 of Chapter 194, Acts of the 42nd Legislature, Regular Session, 1931 (compiled as Section 4 of Article 695a of Vernon's Texas Civil Statutes), to provide that the commissioners court of any county may appoint in said county a minimum of seven (7), but not more than twenty (20), persons to serve as a Child Welfare Board; and declaring an emergency."

The bill was read second time.

Senator Owen offered the following amendment to the bill:

Amend Senate Bill No. 288 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. Section 4 of Chapter 194, Acts of the 42nd Legislature, Regular Session, 1931 (compiled as Section 4 of Article 695a of Vernon's Texas Civil Statutes) is amended to read as follows:

"Sec. 4. The commissioners court of any county may appoint in said county a minimum of seven (7), but not more than twenty-one (21) persons, residents therein, who shall serve without compensation and hold office during the pleasure of the commissioners court, who shall constitute a Child Welfare Board for the county, which Child Welfare Board shall select its own chairman. The Child Welfare Board shall perform such duties as may be required of it by the said commissioners court and Board of Control in furtherance of the purposes of this Act. The county commissioners court of any county may remove any member of such county welfare board for just cause."

"Sec. 2. The importance of this legislation and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each

house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

Senator Owen offered the following amendment to the bill:

Amend Senate Bill No. 288 by striking out all above the enacting clause and substituting in lieu thereof the following:

"An Act amending Section 4 of Chapter 194, Acts of the 42nd Legislature, Regular Session, 1931 (compiled as Section 4 of Article 695a of Vernon's Texas Civil Statutes) to provide that the commissioners court of any county may appoint in said county a minimum of seven (7), but not more than twenty one (21), persons to serve as a Child Welfare Board; and declaring an emergency."

The amendment was adopted.

The bill as amended was passed to engrossment.

Senate Bill 288 on Third Reading

Senator Owen moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 288 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Senate Bill 313 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 313, A bill to be entitled "An Act relating to the specification in election proceedings of the amount of School District Bonds which are to mature each year, amending Article 2786, Revised Civil Statutes of Texas, as amended, amending Chapter 24, Acts of the 37th Legislature, Regular Session, 1921, as amended, to provide that the petition, election, order and notice of election for the authorization of School District Bonds shall mature serially or otherwise in such installments as are fixed by the Board of Trustees if for an Independent School District, or by the Commissioners' Court if for a Common School District; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 313 on Third Reading

Senator Owen moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 313 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Creighton
Bates	Crump
Blanchard	Dies
Calhoun	Hall
Cole	Hardeman
Colson	Harrington

Hazlewood	Ratliff
Herring	Reagan
Kazen	Richter
Kennard	Rogers
Krueger	Schwartz
Moffett	Spears
Moore	Strong
Owen	Watson
Parkhouse	Word
Patman	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 579 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 579, A bill to be entitled "An Act amending Chapter 6 of Title 13 of the Penal Code of Texas, 1925, by adding thereto an Article 978e-1; permitting the sale in Texas of black bass imported from without the United States so long as the fish are properly tagged as provided herein; providing a penalty for sale of black bass not properly tagged; etc., and declaring an emergency."

The bill was read second time and was passed to third reading:

House Bill 579 on Third Reading

Senator Owen moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 579 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Senate Bill 192 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 192, A bill to be entitled "An Act creating an additional Probate Court in Dallas County to be known as Probate Court Number 2 of Dallas County; etc., and declaring an emergency."

The bill was read the second time.

Senator Parkhouse offered the following amendment to the bill:

Amend S. B. No. 192 by inserting a new section following Section 13 to

be numbered "Section 13a," and to read as follows:

"Section 13a. Regardless of any provisions of this Act to the contrary notwithstanding, the provisions of this Act shall not become effective until January 1, 1965."

The amendment was adopted.

Senator Parkhouse offered the following amendment to the bill:

Amend the caption of S. B. 192 by striking out the clause reading as follows:

"containing a savings clause and declaring an emergency", and inserting in lieu therefor after the clause "providing for a special Judge of said court;" the following

"declaring the effective date of the Act; containing a savings clause and declaring an emergency."

The amendment was adopted.

The bill as amended was passed to engrossment.

Senate Bill 192 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 192 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardaman	Schwartz
Harrington	Spears
Haslewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Haslewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Senate Bill 479 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 479, A bill to be entitled "An Act amending Section 4 of Chapter 239, Acts of the 55th Legislature, 1957 (compiled as Section 4 of Article 4032b-1 of Vernon's Texas Civil Statutes), to make fishing licenses valid from the date of issuance until and including the seventh day of September thereafter; and declaring an emergency."

The bill was read second time.

Senator Patman offered the following amendment to the bill:

Amend Senate Bill No. 479 by striking all below the enacting clause and substituting in lieu thereof the following:

"Subsection 1. Section 4 of Chapter 239, Acts of the 55th Legislature, 1957 (compiled as Section 4 of Article 4032b-1 of Vernon's Texas Civil Statutes), is amended to read as follows:

"Sec. 4. Each license issued under the provisions of this Act shall have printed across its face the year for which it is issued and shall bear the name and address and residence of the person to whom issued, and shall state the approximate weight, height, age, color of hair, and color of eyes of such person in order that proper identification may be had in the field. Such fishing license shall be dated the date of issuance and shall remain in effect until and including the thirty-first day of August thereafter; provided, however, that any person

who possesses a valid fishing license which expires on the thirty-first day of August may fish during a grace period of seven (7) days, extending through the seventh day of September, without obtaining a new license therefor. Fishing licenses shall have printed thereon the following: "This license does not entitle the holder thereof to fish upon the enclosed and posted lands of another without the consent of the owner or his agent." It shall be unlawful for any person to issue or accept any license required by the provisions of this Act, except on a form provided by the Game and Fish Commission.'

Sec. 2. The importance of this legislation and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

Senator Patman offered the following amendment to the bill:

Amend Senate Bill No. 479 by striking all above the enacting clause and substituting in lieu thereof the following:

**"A BILL
To Be Entitled**

"An Act amending Section 4 of Chapter 239, Acts of the 55th Legislature, 1957 (compiled as Section 4 of Article 4032b-1 of Vernon's Texas Civil Statutes), to provide for a seven-day grace period following the expiration date of a fishing license; and declaring an emergency."

The amendment was adopted.

The bill as amended was passed to to engrossment.

Senate Bill 479 on Third Reading

Senator Patman moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 479 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Senate Bill 476 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 476, A bill to be entitled "An Act amending Acts 1951, 52nd Leg., Chapter 491, known as the Texas Insurance Code, by adding thereto a new Article numbered 1.26; defining credit guaranty insurance; providing for the maintenance of reserves on such insurance; and declaring an emergency."

The bill was read second time and was passed to engrossment:

Senate Bill 476 on Third Reading

Senator Ratliff moved that Sen-

ate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 476 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Senate Bill 500 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 500, A bill to be entitled "An Act amending Chap. 244, Acts of the Fifty-seventh Legislature creating Rotan Municipal Water Authority by providing that certain additional territory shall be contained therein; providing for an election to

be held in such added territory for the assumption of its proper portion of the indebtedness of the authority; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment:

Senate Bill 500 on Third Reading

Senator Ratliff moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 500 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Senate Bill 485 on Second Reading

The Presiding Officer laid before

the Senate on its second reading and and passage to engrossment:

S. B. No. 485, A bill to be entitled "An Act to authorize and require the appointment of an official shorthand reporter of the 100th Judicial District of Texas; fixing maximum and minimum salary to be paid in addition to compensation for transcripts, statement of facts and other fees; and fixing allowances for travel and hotel expenses; providing the time, method and manner of payment; repealing all laws or parts of laws in conflict; providing a saving clause; and declaring an emergency."

The bill was read second time.

Senator Rogers offered the following amendment to the bill:

Amend S. B. No. 485 by striking out Sections 3 and 4 thereof and substituting therefor the following:

"Sec. 3. The judge of the 31st Judicial District of Texas, composed of the Counties of Gray, Wheeler, Hemphill, Lipscomb and Roberts, or the judge of the judicial district of which the counties of Gray, Wheeler, Hemphill, Lipscomb and Roberts are a part thereof, shall appoint an official shorthand reporter for such district in the manner now provided for district courts in this State who shall have the same qualifications and whose duties shall in every respect be the same as now provided by law. Said official shorthand reporter shall receive a salary of not less than Fifty-five Hundred Dollars (\$5,500) per annum, nor more than Eighty-five Hundred Dollars (\$8,500) per annum, said salary to be fixed and determined by the district judge of the 31st Judicial District composed of the Counties of Gray, Wheeler, Hemphill, Lipscomb and Roberts, or by the district judge of which the counties of Gray, Wheeler, Hemphill, Lipscomb and Roberts are a part thereof, and said salary shall be in addition to transcript fees, fees for statements of fact and all other fees as now provided by law. Said salary when so fixed and determined by the district judge of said judicial district shall be paid monthly, out of the General Fund, or the Jury Fund, or out of any fund available for the purpose as may be determined by the commissioners courts, by the respective counties of the judicial district in accordance with the proportion fixed, made and deter-

mined by the district judge of said judicial district as to the amount to be paid monthly by each county in the judicial district.

Sec. 4. Said reporter shall, in addition, receive allowances for his actual and necessary traveling and hotel expenses while actually engaged in the discharge of his duties, not to exceed Six Dollars (\$6) per day for hotel bills, and not to exceed four cents (4c) a mile when traveling by railway or bus lines, and not to exceed ten cents (10¢) a mile when traveling by private conveyance in going to and returning from the place where such duties are discharged, traveling the nearest practical route. Such expenses shall be paid after the completion of each term of court by the respective counties of the judicial district for which they are incurred, each county paying the expenses incidental to its own regular or special term of court, and said expenses shall be paid to the official shorthand reporter by the commissioners court of the county, out of the General Fund of the county upon the sworn statement of the reporter approved by the judge, provided there shall not be paid to any such official shorthand reporter more than Seven Hundred Fifty Dollars (\$750) in any one year under the provisions of this Act.

Sec. 5. From and after the passage of this Act all provisions relating to official shorthand reporters and their duties in district courts shall in all respects govern except that the salary of the official shorthand reporters as provided for in this Act shall be fixed and determined as provided herein and not otherwise; and the transcript fees and allowances for traveling and hotel expenses shall be as provided for in this Act, and not otherwise.

Sec. 6. The fact that a district judge of a judicial district is in a better position to determine the efficiency of an official shorthand reporter, and to determine the compensation he shall receive in accordance with the amount of work performed, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

Senator Rogers offered the following amendment to the bill:

Amend S. B. No. 485 by striking out all above the enacting clause and substituting therefor the following:

**"A BILL
To Be Entitled**

An Act relating to the appointment of official shorthand reporters for the 100th Judicial District of Texas and the 31st Judicial District of Texas; fixing maximum and minimum salaries to be paid in addition to compensation for transcripts, statements of fact and other fees; and fixing allowances for travel and hotel expense; providing the time, method and manner of payment; repealing all laws or parts of laws in conflict; and declaring an emergency."

The amendment was adopted."

The bill as amended was passed to engrossment.

Senate Bill 485 on Third Reading

Senator Rogers moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 485 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Senate Bill 486 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 486, A bill to be entitled "An Act providing for the creation of a hospital district to be known as Caprock Hospital District with boundaries coextensive with the boundaries of Commissioners' Precincts 1, 3 and 4 of Floyd County; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 486 on Third Reading

Senator Rogers moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 486 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Senate Bill 462 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 462, A bill to be entitled "An Act amending Article 8274 of the Revised Civil Statutes of Texas of 1925, as amended, relating to the rate of pilotage for each foot of water which the vessel at the time of piloting draws, which may be fixed under Articles 8267 and 8269 on any class of vessels in any port of the state so as to exclude the Port of Galveston in the exception, as now provided; providing a repealing clause; and declaring an emergency."

The bill was read second time and was passed to engrossment:

Senate Bill 462 on Third Reading

Senator Schwartz moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 462 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Colson
Bates	Creighton
Blanchard	Crump
Calhoun	Dies
Cole	Hall

Hardeman	Patman
Harrington	Ratliff
Hazlewood	Reagan
Herring	Richter
Kazen	Rogers
Kennard	Schwartz
Krueger	Spears
Moffett	Strong
Moore	Watson
Owen	Word
Parkhouse	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Senate Bill 463 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 463, A bill to be entitled "An Act applying to certain cities bordering upon the Gulf of Mexico, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of S. B. No. 463 to engrossment.

Senate Bill 463 on Third Reading

Senator Schwartz moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 463 be placed on its third reading and final passage.

The motion prevailed by the following vote.

Yeas—28

Bates	Krueger
Blanchard	Moffett
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

Nays—3

Aikin	Owen
Hardeman	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—28

Bates	Krueger
Blanchard	Moffett
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

Nays—3

Aikin	Owen
Hardeman	

Committee Substitute Senate Bill 470 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 470, A bill to be entitled "An Act amending Article 8264 of the Revised Civil Statutes of Texas, 1925, to establish boards for commissioners of pilots for certain ports; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Committee Substitute Senate Bill 470 on Third Reading

Senator Schwartz moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 470 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Senate Bill 472 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 472, A bill to be entitled "An Act amending Article 8270 of the Revised Civil Statutes of Texas, 1925, relating to appointment of branch pilots, to make the article applicable to all of the ports in Galveston County and to increase the term of office of branch pilots to four years; and declaring an emergency."

The bill was read second time.

Senator Schwartz offered the following amendment to the bill:

Amend S. B. 472 by striking the word "four" where it appears and substituting in lieu thereof the word and number "two."

The amendment was adopted.

On motion of Senator Schwartz and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 472 on Third Reading

Senator Schwartz moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 472 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Senate Bill 492 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 492, A bill to be entitled "An Act creating an conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as 'Galveston West Bay Municipal Utility District of Galveston County, Texas,' etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 492 on Third Reading

Senator Schwartz moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 492 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Senate Bill 429 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 429, A bill to be entitled "An Act authorizing the Texas National Guard Armory Board to issue refunding bonds to effect a savings in interest, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 429 on Third Reading

Senator Spears moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 429 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Harrington
Bates	Hazlewood
Blanchard	Herring
Calhoun	Kazen
Cole	Kennard
Colson	Krueger
Creighton	Moffett
Crump	Moore
Dies	Owen
Hall	Parkhouse
Hardeman	Patman

Ratliff	Spears
Reagan	Strong
Richter	Watson
Rogers	Word
Schwartz	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Senate Bill 483 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 483, A bill to be entitled "An Act authorizing the District Attorney of the 27th Judicial District of Bell, Lampasas and Mills Counties, Texas, with the approval of the Commissioners Court of one or more of said counties to employ assistants, investigators and stenographers, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 483 on Third Reading

Senator Watson moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 483 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Blanchard
Bates	Calhoun

Cole	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Hall	Reagan
Hardeman	Richter
Harrington	Rogers
Hazlewood	Schwartz
Herring	Spears
Kazen	Strong
Kennard	Watson
Krueger	Word
Moffett	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Senate Concurrent Resolution 56 on Second Reading

The Presiding Officer laid before the Senate on its second reading the following resolution:

S. C. R. No. 56, Granting Joyce P. Van Natter et vir permission to sue the State.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

Senate Concurrent Resolution 66 on Second Reading

The Presiding Officer laid before the Senate on its second reading the following resolution:

S. C. R. No. 66, Granting Austin Bridge Company et al. permission to sue the State of Texas.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

Senate Concurrent Resolution 35 on Second Reading

The Presiding Officer laid before the senate on its second reading the following resolution:

S. C. R. No. 35, Granting W. J. Holloday permission to sue the State of Texas.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

Senate Concurrent Resolution 38 on Second Reading

The Presiding Officer laid before the Senate on its second reading the following resolution:

S. C. R. No. 38, Granting Elgean Shield permission to sue the State of Texas.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

Senate Concurrent Resolution 51 on Second Reading

The Presiding Officer laid before the Senate on its second reading the following resolution:

S. C. R. No. 51, Granting Producing Properties, Inc., permission to sue the State of Texas.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

At Ease

The Presiding Officer announced at 10:15 o'clock a.m. that the Senate would stand At Ease for five minutes.

In Legislative Session

The Presiding Officer (Senator Hardeman in the Chair) called the Senate to order as In Legislative Session at 10:20 o'clock a.m.

House Bill 385 on Second Reading

The Presiding Officer laid before

the Senate on its second reading and passage to third reading:

H. B. No. 385, A bill to be entitled "An Act amending Section 19, Chapter 179, Acts of the 57th Legislature, Regular Session, 1961, to provide for the rendition, equalization, assessment and collection of taxes, either on a benefit or ad valorem basis, an election for the issuance of bonds and the levy of taxes in payment therefor; etc., and declaring an emergency."

The bill was read second time and was passed to third reading:

House Bill 385 on Third Reading

Senator Aikin moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 385 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Hardeman
Bates	Harrington
Blanchard	Hazlewood
Calhoun	Herring
Cole	Kazen
Colson	Kennard
Creighton	Krueger
Crump	Moffett
Dies	Moore
Hall	Owen

Parkhouse	Schwartz
Patman	Spears
Ratliff	Strong
Reagan	Watson
Richter	Word
Rogers	

House Bill 512 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 512, A bill to be entitled "An Act making it unlawful to take or catch any white perch, crappie, or any kind of bass by use of a set net or seine; providing a penalty for violation; and declaring an emergency."

The bill was read second time and was passed to third reading:

House Bill 512 on Third Reading

Senator Aikin moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 512 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Cole
Bates	Colson
Blanchard	Creighton
Calhoun	Crump

Dies	Parkhouse
Hall	Patman
Hardeman	Ratliff
Harrington	Reagan
Hazlewood	Richter
Herring	Rogers
Kazen	Schwartz
Kennard	Spears
Krueger	Strong
Moffett	Watson
Moore	Word
Owen	

House Bill 562 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 562, A bill to be entitled "An Act amending Subsection (a) of Section 15 of Chapter 179, Acts of the 56th Legislature, Regular Session, 1959, as amended, to provide for the enforcement of the Water Safety Act by game wardens on Lake Texoma, Lake Texarkana, Garza-Little Elm Lake, Caddo Lake and Lake O' the Pines, in addition to the enforcement by peace officers of this State and its political subdivisions; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 562 on Third Reading

Senator Aikin moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 562 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moffett
Calhoun	Moore
Cole	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson

Nays—1

Word

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moffett
Calhoun	Moore
Cole	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson

Nays—1

Word

House Bill 626 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 626, A bill to be entitled "An Act permitting the taking of nutria in Marion and Morris Counties; amending Section 1 of Chapter 91, Acts of the 52nd Legislature, Regular Session, 1951, which prohibits the taking of nutria in certain waters in Harrison and Marion Counties, so as to remove Marion County from the scope of the Act; etc., and declaring an emergency."

The bill was read second time and was passed to third reading:

House Bill 626 on Third Reading

Senator Aikin moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 626 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Colson
Bates	Creighton
Blanchard	Crump
Calhoun	Dies
Cole	Hall

Hardeman	Patman
Harrington	Ratliff
Hazlewood	Reagan
Herring	Richter
Kazen	Rogers
Kennard	Schwartz
Krueger	Spears
Moffett	Strong
Moore	Watson
Owen	Word
Parkhouse	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 636 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 636, A bill to be entitled "An Act amending Section 1 of Chapter 125, Acts of the 52nd Legislature, Regular Session, 1951, as amended, so as to remove Red River County from the scope of the general regulatory authority of the Texas Game and Fish Commission, etc., and declaring an emergency."

The bill was read second time and was passed to third reading:

House Bill 636 on Third Reading

Senator Aikin moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 636 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 786 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 786, A bill to be entitled "An Act authorizing the creation of a Hospital District comprising all of Titus County, Texas, and the assumption of all outstanding indebtedness of Titus County incurred for hospital purposes, etc., and declaring an emergency."

The bill was read second time and was passed to third reading:

House Bill 786 on Third Reading

Senator Aikin moved that Senate Rule 32 and the Constitutional Rule

requiring bills to be read on three several days be suspended and that H. B. No. 786 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 1025 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 1025, A bill to be entitled "An Act to amend Section 2 of ch. 113, Acts of the 52nd Legislature, R. S., 1951, as last amended by ch. 99, Acts of the 54th Leg., R. S. 1955, relating to hunting deer in Marion County; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1025 on Third Reading

Senator Aikin moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 1025 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 318 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 318, A bill to be entitled "An Act fixing the maximum salary

for court reporters in judicial districts composed of two counties, one of which has a population of not less than one hundred and fifty thousand (150,000) and not more than two hundred thousand (200,000) and either of which borders on the Republic of Mexico, etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 318 on Third Reading

Senator Bates moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 318 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moffett
Cole	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Hall	Reagan
Hardeman	Richter
Harrington	Rogers
Hazlewood	Schwartz
Herring	Spears

Strong
Watson

Word

House Bill 639 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 639, A bill to be entitled "An Act making it unlawful except under the provisions of this Act for any person to hunt, take, kill or attempt to kill, or possess, any game bird or game animal in Cameron, Hidalgo and Starr Counties, including the waters of the Laguna Madre, but excluding the waters of the Gulf of Mexico; etc.; and declaring an emergency."

The bill was read second time.

Senator Bates offered the following amendment to the bill:

Amend House Bill 639 by adding the word "Jim Wells," after the comma following the word "Cameron," in the first sentence of Section 1 of such Act.

The amendment was adopted.

On motion of Senator Bates and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 639 to third reading.

House Bill 639 on Third Reading

Senator Bates moved that Senate Rule 32 and the Constitutional Rule requiring Bills to be read on three several days be suspended and that H. B. No. 639 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Hall
Bates	Harrington
Blanchard	Hazlewood
Calhoun	Herring
Cole	Kazen
Colson	Kennard
Creighton	Krueger
Crump	Moffett
Dies	Moore

Parkhouse	Schwartz
Patman	Spears
Ratliff	Strong
Reagan	Watson
Richter	Word
Rogers	

Nays—2

Hardeman	Owen
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The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—29

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Nays—2

Hardeman	Owen
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House Bill 759 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 759, A bill to be entitled "An Act amending Sections 1 and 2 of Chapter 327, Acts of the 54th Legislature, 1955, which relates to the hunting of wild pheasants in Hidalgo County, by adding the months of February and March to the open season and changing the minimum size of tract to two hundred and fifty (250) acres; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 759 on Third Reading

Senator Bates moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 759 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 1009 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 1009, A bill to be entitled "An Act permitting commissioners courts in certain counties to authorize the use of equipment, machinery, and employees of the county to construct, establish and maintain public airstrips; repealing conflicting laws; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1009 on Third Reading

Senator Calhoun moved that Sen-

ate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 1009 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 1010 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 1010, A bill to be entitled "An Act prohibiting the use of certain methods for taking fish in certain lakes in Wood County; providing a penalty for violation; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1010 on Third Reading

Senator Calhoun moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 1010 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 371 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 371, A bill to be entitled

"An Act changing the name of San Jacinto State Park to San Jacinto Battleground, and the name of the San Jacinto State Park Commission to San Jacinto Battleground Commission; and declaring an emergency."

The bill was read second time.

Senator Cole offered the following committee amendment to the bill:

Amend House Bill No. 371 by striking out Section 3 and by substituting therefor three (3) new sections, which shall read as follows:

"Sec. 3. The name of Fannin State Park, located in Goliad County, Texas, is hereby changed to Fannin State Battleground, and the name of the Fannin State Park Commission now operating the battlefield is hereby changed to Fannin State Battleground Commission.

Sec. 4. Wherever the name Fannin State Park and the name Fannin State Park Commission appear in statutes of this State, such names and such references shall hereafter mean and apply to Fannin State Battleground and Fannin State Battleground Commission, respectively. All appropriations and benefits to Fannin State Park and Fannin State Park Commission shall be available and apply to Fannin State Battleground and Fannin State Battleground Commission, and all deeds and contracts effected under the old names shall likewise be applicable under the new names.

Sec. 5. The importance of this legislation and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

The committee amendment was adopted.

Senator Cole offered the following committee amendment to the bill:

Amend the caption of H. B. No. 371 by striking the words "and declaring an emergency" and substituting the following:

"and changing the name of Fannin State Park to Fannin State Battleground and the name of Fannin State

Park Commission to the Fannin State Battleground Commission, and declaring an emergency."

The committee amendment was adopted.

The bill as amended was passed to third reading.

House Bill 371 on Third Reading

Senator Cole moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 371 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 574 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 574, A bill to be entitled "An Act amending Chapter 207, Acts of the Forty-first Legislature, Regular Session, 1929, as amended by Chapter 316, Acts of the Forty-fourth Legislature, Regular Session, 1935, Chapter 140, Acts of the Forty-ninth Legislature, Regular Session, 1945, and Chapter 222, Acts of the Fifty-third Legislature, Regular Session, 1953, (codified as Article 3899b of Vernon's Texas Civil Statutes) by adding thereto Section 1a, to provide that in all counties having a population in excess of One Million Two Hundred Thousand (1,200,000) inhabitants according to the last preceding Federal Census, in addition to the expenditures now authorized, the Commissioners Court of such Counties may furnish Justices of the Peace courtrooms, offices and office furniture and furnish Constables offices and office furniture; enacting other provisions related to the subject; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 574 on Third Reading

Senator Cole moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 574 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the

bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 777 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 777, A bill to be entitled "An Act amending Section 84, of Chapter 520, of Acts of the 51st Legislature, 1949, (Section 9 of Article 1970-110A Vernon's Revised Civil Statutes of Texas), to provide for the execution of a bond in the sum of \$100,000.00, by probate Judge of Harris County, Texas, and the taking of the oath, as provided for the County Judge of Harris County, Texas, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 777 on Third Reading

Senator Cole moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 777 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Dies
Bates	Hall
Blanchard	Hardeman
Calhoun	Harrington
Cole	Hazlewood
Colson	Herring
Creighton	Kazen
Crump	Kennard

Krueger	Richter
Moffett	Rogers
Moore	Schwartz
Owen	Spears
Parkhouse	Strong
Patman	Watson
Ratliff	Word
Reagan	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 778 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 778, A bill to be entitled "An Act amending Section 84, of Chapter 520, of Acts of the 51st Legislature, 1949, (Section 11, of Article 1970-110A Vernon's Revised Civil Statutes of Texas), to provide for the probate Judge to act as presiding Judge for the County Judge acting in probate matters in the event of absence, disqualification or incapacity."

The bill was read second time and was passed to third reading.

House Bill 778 on Third Reading

Senator Cole moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 778 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 984 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 984, A bill to be entitled "An Act validating county park bond elections heretofore held in any county with a population of more than one million (1,000,000) at the last preceding federal census on the proposition of issuing bonds of the county for the purpose of purchasing and/or improving lands for park purposes; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Vote

Senator Hardeman asked to be re-

corded as voting "Nay" on the passage of H. B. No. 984 to third reading.

House Bill 984 on Third Reading

Senator Cole moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 984 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Bates	Krueger
Blanchard	Moffett
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

Nays—3

Aikin	Owen
Hardeman	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—28

Bates	Krueger
Blanchard	Moffett
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

Nays—3

Aikin	Owen
Hardeman	

House Bill 621 on Second Reading

The Presiding Officer laid before

the Senate on its second reading and passage to third reading:

H. B. No. 621, A bill to be entitled "An Act amending Article 1689 of the Revised Civil Statutes of Texas, 1925, to provide that Commissioners Courts may contract with private libraries in certain cases to furnish county free library services in areas not adequately served by the county free library; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 621 on Third Reading

Senator Colson moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 621 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Harrington
Bates	Hazlewood
Blanchard	Herring
Calhoun	Kazen
Cole	Kennard
Colson	Krueger
Creighton	Moffett
Crump	Moore
Dies	Owen
Hall	Parkhouse
Hardeman	Patman

Ratliff	Spears
Reagan	Strong
Richter	Watson
Rogers	Word
Schwartz	

House Bill 937 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 937, A bill to be entitled "An Act creating "River Plantation Municipal Utility District of Montgomery County"; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 937 on Third Reading

Senator Colson moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 937 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Crump
Bates	Dies
Blanchard	Hall
Calhoun	Hardeman
Cole	Harrington
Colson	Hazlewood
Creighton	Herring

Kazen	Reagan
Kennard	Richter
Krueger	Rogers
Moffett	Schwartz
Moore	Spears
Owen	Strong
Parkhouse	Watson
Patman	Word
Ratliff	

House Bill 736 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 736, A bill to be entitled "An Act to validate independent school districts created under the provisions of Article 2757, Revised Civil Statutes of Texas of 1925, as amended, having less than two hundred (200) scholastics and located in counties having two (2) or more artificial lakes constructed by the United States of America, under the direction of the United States Army Corps of Engineers, validating the boundaries of such independent school districts and providing that no changes in boundaries shall be made by order of the County School Board unless previously approved by the Board of Trustees of such independent school districts; excepting certain districts in litigation; and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 736 to third reading

House Bill 736 on Third Reading

Senator Creighton moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 736 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Bates	Hall
Blanchard	Harrington
Calhoun	Hazlewood
Cole	Herring
Colson	Kazen
Creighton	Kennard
Crump	Krueger
Dies	Moffett

Moore	Rogers
Parkhouse	Schwartz
Patman	Spears
Ratliff	Strong
Reagan	Watson
Richter	Word

Nays—3

Aikin	Owen
Hardeman	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—28

Bates	Krueger
Blanchard	Moffett
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

Nays—3

Aikin	Owen
Hardeman	

House Bill 1008 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 1008, A bill to be entitled "An Act creating Lake Dallas Municipal Utility Authority; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1008 on Third Reading

Senator Creighton moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 1008 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Bates
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Blanchard	Moffett
Calhoun	Moore
Cole	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word
Krueger	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—81

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 580 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 580, A bill to be entitled "An Act applying only to Jasper, Newton, Tyler, Hardin, Polk, San Jacinto, Trinity, and Orange Counties making it lawful to use dogs in hunting game during open season in such counties; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 580 on Third Reading

Senator Dies moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 580 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 590 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 590, A bill to be entitled "An Act limiting the provisions of this Act to Sabine County, Texas; making it unlawful, except under the provisions of this Act, for any person to hunt, take, kill or possess any game bird or game animal in said area; providing that the open season or period of time when it shall be lawful to hunt, take, kill or possess any game bird or game animal in Sabine County shall be the same as the open season provided in

Jasper, Newton and Tyler Counties; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 590 on Third Reading

Senator Dies moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 590 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 656 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 656, A bill to be entitled "An Act authorizing the Board for Texas State Hospitals and Special Schools to sell certain land located in Cherokee County, Texas, being a part of the Rusk State Hospital; prescribing the procedure, terms and conditions of sale; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 656 on Third Reading

Senator Dies moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 656 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 482 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 482, A bill to be entitled "An Act amending Section 1 of Chapter 125, Acts of the 52nd Legislature, Regular Session, 1951, as amended, relating to the regulatory authority of the Game and Fish Commission in certain counties, so as to add Hunt County to the counties so regulated; and declaring an emergency."

The bill was read second time.

Senator Crump offered the following amendment to the bill:

Amend H. B. 482 by striking Section 1 thereof and substituting in lieu thereof the following:

"Section 1. Section 1 of Chapter 125, Fifty-second Legislature, Regular Session, 1951, as last amended by Chapter 44, Acts of the Fifty-seventh Legislature, First Called Session, 1961, is amended to read as follows:

"Section 1. This Act shall apply only to the counties of: Archer, Baylor, Bell, Bosque, Bowie, Brazos, Clay, Comanche, Coryell, Denton, Ellis, Erath, Falls, Fannin, Freestone, Grimes, Hamilton, Hardin, Hill, Hood, Houston, Hunt, Jack, Jefferson, Johnson, Knox, Limestone, McCulloch, McLennan, Milam, Montague, Montgomery, Orange, Palo Pinto, Parker, Polk, Robertson, Somervell, Stephens, Titus, Walker, Wichita, Wilbarger, Williamson, Wise and Young."

The amendment was adopted.

On motion of Senator Hall and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 482 to third reading.

House Bill 482 on Third Reading

Senator Hall moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 482 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

Nays—1

Hardeman

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

Nays—1

Hardeman

House Bill 560 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 560, A bill to be entitled "An Act validating proceedings heretofore had in connection with the creation, organization and operation of the Fannin County Water Control and Improvement District Number One and providing said District shall continue to exist as a conservation and reclamation district under

Article XVI, Section 59, of the Constitution of Texas; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 560 to third reading.

House Bill 560 on Third Reading

Senator Hall moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 560 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Bates	Krueger
Blanchard	Moffett
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

Nays—3

Aikin	Owen
Hardeman	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—28

Bates	Krueger
Blanchard	Moffett
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

Nays—3

Aikin Owen
Hardeman

House Bill 654 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 654, A bill to be entitled "An Act amending Section 3 and Section 5 of the Article 3.50 of the Insurance Code of the State of Texas, so as to permit the use after December 31, 1959 of the Commissioner's 1958 Standard Ordinary Mortality Table with adjustments for female risks; etc., and declaring an emergency."

The bill was read second time.

Senator Hall offered the following committee amendment to the bill:

Amend H. B. No. 654 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. That Section 3 of Article 3.50 of the Insurance Code of the State of Texas be, and the same is hereby amended to read hereafter as follows:

"Sec. 3. Reserve Values.—The reserve values of all policies of group insurance shall be computed as follows:

"(a) Policies issued prior to May 15, 1947 upon the basis of the American Men Ultimate Table of Mortality with interest at the rate of three (3%) per cent or three and one-half (3½%) per cent per annum as provided in such policies;

"(b) Policies issued on and subsequent to May 15, 1947, upon the basis of either the American Men Ultimate Table of Mortality or the Commissioner's 1941 Standard Ordinary Mortality Table with interest at a rate not in excess of three and one-half (3½%) per cent per annum as provided in such policies; and

"(c) Policies issued after the 31st day of December, 1959, upon either the Commissioner's 1958 Standard Mortality Table or the Commissioner's 1960 Standard Group Mortality Table or such other Commissioner's Standard mortality table as shall be adopted by the company with the approval of the State Board of Insurance with interest at a rate not in excess of three and one-half (3½%) per cent per annum, as provided in such policies.

Section 2. That subparagraph (c) of Paragraph (1) of Article 3.28, Insurance Code of Texas, be and the same is hereby amended to read and provided hereafter as follows:

"(c) As respects policies issued after the 31st day of December, 1947, the computation shall be on the basis of the mortality table and interest rate specified in the respective policies, provided that (1) the specified rate of interest shall not exceed three and one-half (3½%) per cent per annum; (2) the specified table for policies other than policies of industrial life insurance shall be the American Experience Table of Mortality, the American Men Ultimate Table of Mortality, the Commissioner's 1941 Standard Ordinary Mortality Table, or, as respects policies issued after the 31st day of December, 1959, the Commissioner's 1958 Standard Ordinary Mortality Table; and (3) the specified table for policies of industrial life insurance shall be the American Experience Table of Mortality, the Standard Industrial Mortality Table, the Sub-Standard Industrial Mortality Table, the 1941 Standard Industrial Mortality Table, or the 1941 Sub-Standard Industrial Mortality Table, or, as respects policies issued after the 31st day of December, 1963, the Commissioner's 1961 Standard Industrial Mortality Table."

Section 3. That sub-paragraph (e) of Section 2 of Article 3.52, Insurance Code of Texas, be and the same is hereby amended to read and provide hereafter as follows:

"(e). A provision that in the event of default in premium payments after premiums shall have been paid for three (3) full years there shall be available a stipulated form of insurance effective from the due date of the defaulted premium; and in event of default in premium payments after premiums shall have been paid for five (5) full years there shall be available, in lieu of the stipulated form of insurance, at the option of the insured, a specified cash surrender value. The net value of the stipulated form of insurance, and the specified cash surrender value, shall not be less than the reserve on the policy at the end of the last completed quarter of the policy year for which premiums shall have been paid, including the reserve for any paid-up additions thereto and the amount of any dividends standing to the credit of the policy, and excluding any reserve on

total and permanent disability, as defined in the policy, and additional accidental death benefits, less a sum of not more than:

"(1) Two and one-half (2½%) per cent of the maximum amount insured by the policy and dividend additions thereto, if any, when the issue age is under ten (10) years;

"(2) Two and one-half (2½%) per cent of the current amount insured by the policy and dividend additions thereto, if any, when the issue age is ten (10) years or older; and less any existing indebtedness to the insurer on or secured by the policy.

"If the mortality table adopted for computing such reserve is the 1941 Standard Industrial Mortality Table or the 1941 Sub-Standard Industrial Mortality Table, then in calculating the value of the paid-up term insurance with accompanying pure endowment, if any, a rate of mortality may be assumed which is not more than one hundred thirty (130%) per cent of the rate of mortality according to the table used. If the mortality table adopted for computing such reserve is the Commissioner's 1961 Standard Industrial Mortality Table, then in calculating the value of paid-up term insurance with accompanying pure endowment, if any, a rate of mortality may be assumed which is not more than that shown in the Commissioner's 1961 Industrial Extended Term Insurance Table, or, in the case of sub-standard policies, on such other table of mortality as may be specified by the company and approved by the State Board of Insurance. The policy shall state the amount and term of the stipulated form of insurance calculated upon the assumption of no indebtedness on the policy and no dividend additions thereto.

"The policy may be surrendered to the insurer at its home office within the period of grace after the due date of the defaulted premium for the specified cash surrender value, provided that the insurer may defer payment for not more than six (6) months after the application therefor is made. In the event that application, which must be in writing, for a stipulated form of insurance or the specified cash surrender value when the same are available, is not made within the grace period, it shall be provided that a stipulated form of insurance shall automatically become effective."

Section 4. That Section 5 of Article 3.50 of the Insurance Code of the

State of Texas be, and the same is hereby repealed.

Section 5. If any section, subsection, paragraph, clause, phrase or word of this Act be held invalid, such holding shall not affect the validity of the remaining portions of this Act, and the Legislature hereby declares that it would have passed such remaining portions in spite of such invalidity.

Section 6. The importance of this measure and the crowded condition of the Calendar create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The committee amendment was adopted.

On motion of Senator Hall and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 654 on Third Reading

Senator Hall moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 654 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 1013 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 1013, A bill to be entitled "An Act providing for the creation of West Coke County Hospital District with boundaries coextensive with the boundaries of Commissioners' Precincts 1 and 3 of Coke County, pursuant to authority granted by Section 9 of Article IX of the Texas Constitution; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1013 on Third Reading

Senator Ratliff moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 1013 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hazlewood
Bates	Herring
Blanchard	Kazen
Calhoun	Kennard
Cole	Krueger
Colson	Moffett
Creighton	Moore
Crump	Owen
Dies	Parkhouse
Hall	Patman
Hardeman	Ratliff
Harrington	Reagan

Richter
Rogers
Schwartz
Spears

Strong
Watson
Word

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read the third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 447 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 447, A bill to be entitled "An Act to amend House Bill 92, Acts, Fifty-first Legislature, 1949, Page 88, Chapter 53, Codified as Article 52-160B, Code of Criminal Procedure of the State of Texas, relating to the compensation to be paid the Criminal District Attorney of Jefferson County, Texas, and the appointment of assistants and other personnel; containing a severability clause; repealing all laws in conflict herewith; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 447 on Third Reading

Senator Harrington moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 447 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Bates
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Blanchard	Moffett
Calhoun	Moore
Cole	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word
Krueger	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Committee Substitute House Bill 783 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

C. S. H. B. No. 783, A bill to be entitled "An Act authorizing the creation of a Public Hospital District in a portion of Jefferson County; etc., and declaring an emergency."

The bill was read second time.

Senator Harrington offered the following amendment to the bill:

Amend House Bill 783 by striking out all of the last two sentences of Sec. 32 of said House Bill 783, the first of said Sentences commencing with the words "The contractor shall give" appearing on line 11 of page 12a of the printed bill and the second of said sentences concluding with the

words "of said Hospital District" appearing on line 17 of said page 12a of the printed bill and inserting in lieu thereof the following:

"The contractor shall give surety bond to the District in accordance with the provisions of Article 5160, Revised Civil Statutes of 1925, and amendments thereto."

The amendment was adopted.

On motion of Senator Harrington and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of C. S. H. B. No. 783 to third reading.

Committee Substitute House Bill 783 on Third Reading

Senator Harrington moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C. S. H. B. No. 783 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

Nays—1

Hardeman

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

Nays—1

Hardeman

House Bill 971 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 971, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59 of Article XIV, Constitution of Texas, to be known as 'Orange County Drainage District of Orange County, Texas,' providing for its governing body; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 971 on Third Reading

Senator Harrington moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 971 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moffett
Cole	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Hall	Reagan
Hardeman	Richter
Harrington	Rogers
Hazlewood	Schwartz
Herring	Spears

Strong
Watson

Word

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 1017 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 1017, A bill to be entitled "An Act amending Acts of the 51st Legislature, Regular Session, 1949, Chapter 147, Page 270, so as to add new sections thereto so as to extend and add to the territory of the Port of Beaumont Navigation District of Jefferson County, Texas; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1017 on Third Reading

Senator Harrington moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 1017 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Dies
Bates	Hall
Blanchard	Hardeman
Calhoun	Harrington
Cole	Hazlewood
Colson	Herring
Creighton	Kazen
Crump	Kennard

Krueger	Richter
Moffett	Rogers
Moore	Schwartz
Owen	Spears
Parkhouse	Strong
Patman	Watson
Ratliff	Word
Reagan	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 330 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 330, A bill to be entitled "An Act creating a Hospital District for Commissioners Court Precincts 1 and 2 of Wheeler County, Texas, and providing for taxation, issuance of bonds by said Hospital District."

The bill was read second time.

Senator Hazlewood offered the following amendment to the bill:

Amend House Bill No. 330 by striking all below the enacting clause and substituting in lieu thereof the following:

Section 1. Pursuant to authority granted by the provisions of Section 9 of Article IX of the Constitution of the State of Texas North Wheeler County Hospital District is hereby authorized to be created and as created shall have boundaries coextensive with the boundaries of Commissioners' Precincts One (1) and Two (2) of Wheeler County, as constituted on January 1, 1963, and possess

such rights, powers and duties as are hereinafter prescribed.

Section 2. Purposes of District. The District herein authorized to be created shall provide for the establishment of a hospital or hospital system within said District by the purchase, construction, acquisition, repair or renovation of buildings and improvements and the equipping of same and the administration thereof for hospital purposes. Such district shall assume full responsibility for providing medical and hospital care for its needy inhabitants. There being no hospital, hospital system or hospital facilities of any nature presently owned by Wheeler County or any City or Town therein no provisions are made herein for the transfer of properties or equipment or the assumption of any outstanding indebtedness incurred by them for hospital purposes such as is permitted by the aforementioned constitutional provision in the case of existing County, City or Town hospitals, hospital systems or hospital facilities.

Section 3. Creation of District. The district shall not be created nor shall any tax therein be authorized unless and until such creation and such tax are approved by a majority of the qualified property taxpaying electors of the District voting at an election called for such purpose. Such election may be initiated by the Commissioners' Court of Wheeler County upon its own motion and shall be called by said Commissioners' Court upon presentation of a petition therefor signed by at least fifty (50) qualified property taxpaying electors of the District. Such election shall be held not less than thirty (30) or more than sixty (60) days from the time such election is ordered by the Commissioners' Court. The order calling the election shall specify the time and places of holding same, the form of ballot and the presiding judge for each voting place. Notice of election shall be given by publishing a substantial copy of the election order in a newspaper of general circulation in said District, once a week for two consecutive weeks, the first publication to appear at least fourteen (14) days prior to the date established for the election. The failure of any such election shall not operate to prohibit the calling and holding of subsequent elections for the same purpose. At said election there shall be submitted to the qualified property

taxpaying electors of said District the proposition of whether or not North Wheeler County Hospital District shall be created with authority to levy annual taxes at a rate not to exceed Seventy-Five Cents (75c) on the One Hundred Dollars' valuation of all taxable property within such District for the purpose of meeting the requirements of the District's bonds, and its maintenance and operating expenses, and a majority of the qualified property taxpaying electors of the District voting at said election in favor of the proposition shall be sufficient for its adoption. The ballots shall have printed thereon the following:

"FOR the creation of a hospital district; providing for the levy of a tax not to exceed Seventy-five Cents (75c) on the One Hundred Dollars (\$100.00) valuation, and using Wheeler County, Texas, values and the Wheeler County, Texas, tax roll; and

"AGAINST the creation of a hospital district; providing for the levy of a tax not to exceed Seventy-five Cents (75c) on the One Hundred Dollars (\$100.00) valuation, and using Wheeler County, Texas, values and the Wheeler County, Texas, tax roll."

Section 4. District Management. Within ten days after such election is held the Commissioners' Court of said County shall convene and canvass the returns thereof and in the event such election results favorably to the proposition specified in Section 3 hereof, such District shall be governed by a Board of Directors to consist of five (5) members, who shall serve without pay. Each such Director must at the time of his election or appointment hereunder, be a resident of the District, own property subject to taxation therein and be more than twenty-one (21) years of age. Not less than fifteen (15) nor more than twenty-five (25) days after the District is declared established and created the Commissioners Court shall call an election for the five (5) directors who will serve as the district's first Board of Directors, this election to be held on a date not more than thirty (30) days after the day of the passage of the Commissioners' Court order calling same but on such date as will permit publication of an election notice in a newspaper of general circulation in Wheeler County one (1) time not less than ten (10)

days prior to such election date. Any Candidate desiring to be voted upon as a first director shall, no later than three (3) days prior to the day of passage of the Commissioners' Court order calling the election, present a petition to that Court signed by such candidate and not less than five (5) qualified voters residing in the candidate's voting precinct, requesting that his name be placed upon the official ballot. For the purpose of electing directors, the hospital district shall be divided into five (5) voting precincts which shall be made up of the parts of the following school districts which lie within the hospital district, using school district boundaries as of January 1, 1963, as follows: Allison, Kelton, Briscoe, Wheeler plus any part of Section 14 and 15 of Block 27, H. & G. N. Survey that are within the boundaries of the hospital district, and Mobeetie plus any part of Sections 69 and 70 of Block 24 of H. & G. N. Survey that are within the boundaries of the hospital district. Any territory within the hospital district, but not within one of the five (5) school districts, shall be added to the nearest hospital district voting precinct by the action of the board of directors of the hospital district. Each voting precinct of the hospital district shall be represented by one (1) director who must reside within the voting precinct. The regular term of each director shall be for two (2) years but after the first called election, the directors by lot shall select three (3) directors for two (2) years term, and two (2) directors for one (1) year terms. The first year terms shall be ended on the date of the first annual election as hereinafter provided. No person shall be appointed or elected as a member of the board of directors of said hospital district unless he is a resident of the voting precinct thereof and owns property subject to taxation therein and unless at the time of such election or appointment he shall be more than twenty-one (21) years of age. Each member of the board of directors shall qualify by executing the constitutional oath of office and shall execute a good and sufficient commercial bond for One Thousand Dollars (\$1,000.00) payable to said district conditioned upon the faithful performance of his duties, and such oaths and bonds shall be deposited with the depository bank of the district for safekeeping. The cost of this

bond shall be an expense of the hospital district.

The Board of Directors shall organize by electing one (1) of their number as president, and one (1) as vice-president and one (1) as secretary. Any three (3) members of the board of directors shall constitute a quorum and a concurrence of three (3) shall be sufficient in all matters pertaining to the business of the district. All vacancies in the office of director shall be filled for the unexpired term by appointment of the remainder of the board of directors. In the event the number of directors shall be reduced to less than three (3) for any reason, the remaining directors shall immediately call a special election to fill said vacancies, and upon failure to do so a district court may, upon application of any voter or taxpayer of the district, issue a mandate requiring that such election be ordered by the remaining directors.

A regular election of directors shall be held on the same day that the election of trustees of public schools is held each year and notice of such election shall be published in a newspaper of general circulation in the county one (1) time at least ten (10) days prior to the date of election. Any person desiring his name to be printed on the ballot as a candidate for director shall file a petition, signed by not less than five (5) qualified voters residing in the candidate's voting precinct asking that such name be printed on the ballot, with the secretary of the board of directors of the District. Such petition shall be filed with such secretary at least twenty-five (25) days prior to the date of election. All qualified electors residing within the district shall be eligible to vote for directors; provided, however, that such eligible elector can vote only to select a director from the hospital district voting precinct of the residence of such elector.

Section 5. Powers of Directors. The Board of Directors shall manage, control and administer the hospitals and hospital system of the District. The District through its Board of Directors shall have the power and authority to sue and be sued and to promulgate rules and regulations for the operation of the District. The Board of Directors shall appoint a qualified person to be known as the Administrator or Manager of the Hospital District and may in its discretion ap-

point an Assistant to the Administrator or Manager. Such Administrator or Manager, and Assistant Administrator or Assistant Manager, if any, shall serve at the will of the Board and shall receive such compensation as may be fixed by the Board. The Administrator or Manager shall, upon assuming his duties, execute a bond payable to the Hospital District in an amount to be set by the Board of Directors, in no event less than Ten Thousand Dollars (\$10,000), conditioned that he shall perform the duties required of him and containing such other conditions as the Board may require. The Administrator or Manager shall supervise all the work and activities of the District and shall have general direction of the affairs of the District subject to such limitations as may be prescribed by the Board. The Board of Directors shall have the authority to employ such doctors, technicians, nurses and other employees of every kind and character as may be deemed necessary for the efficient operation of the District or may provide that the Administrator or Manager shall have the authority to employ such persons. Such Board shall be authorized to contract with any county or incorporated municipality located outside Wheeler County for the care and treatment of the sick, diseased or injured persons of any such county or municipality and shall have the authority to contract with the State of Texas and agencies of the federal government, for treatment of sick, diseased or injured persons for whom the State of Texas or the Federal Government are responsible. The Board of Directors is also authorized to enter into such contracts or agreements with the State of Texas or the Federal Government as may be required to establish or continue a retirement program for the benefit of the District's employees.

Section 6. Fiscal Year—Audit—Accounting. The District shall be operated on a fiscal year commencing on October 1 of each year and ending on September 30 of the succeeding year and it shall cause an audit to be made of the financial condition of said district which shall at all times be open to inspection at the principal office of the District. In addition the Administrator or Manager shall prepare an annual budget for approval by the Board of Directors of said Dis-

trict. As soon as practical after the close of each fiscal year the Administrator or Manager shall prepare for the Board a full sworn statement of all moneys belonging to the District and a full account of the disbursements of same.

Section 7. Authorization of Bonds and Levy of Tax. The Board of Directors of the Hospital District shall have the power and authority to issue and sell its bonds in the name and upon the faith and credit of such Hospital District for the purchase, construction, acquisition, repair or renovation of buildings and improvements and equipping the same for hospitals and the hospital system, as determined by the Board, and for any or all of such purposes. The first issue of bonds of the district shall not exceed a maximum interest rate of six (6%) per cent per annum. At the time of the issuance of any such bonds a tax shall be levied by the Board sufficient to create an interest and sinking fund and to pay the interest on and principal of said bonds as same mature, providing such tax together with any other taxes levied for said District shall not exceed Seventy Five Cents (75¢) on each on hundred dollars' (\$100) valuation of taxable property in any one year. Such bonds shall be issued under the provisions of Chapter 1, Title 22 of the Revised Civil Statutes of Texas, as amended, but shall be executed in the name of the Hospital District and in its behalf by the President of the Board and attested by the Secretary as provided by Article 717j-1, V.C.S., and shall be subject to the same requirements in the matter of the approval by the Attorney General of Texas and registration by the Comptroller of Public Accounts of the State of Texas as are by law provided for approval and registration of bonds issued by counties. After approval of any such bonds by the Attorney General and registration by the Comptroller, said bonds shall be incontestable. No bond shall be issued by such hospital district except refunding bonds, until authorized by a majority of the qualified electors of the District who own taxable property therein and who have duly rendered the same for taxation, voting at an election called for such purpose. Such election shall be called by the Board of Directors and held in accordance with the provisions of Chapter 1, Title 22 of the Revised

Civil Statutes of Texas, as amended, and except as therein otherwise provided, shall be conducted in accordance with the general laws of Texas pertaining to elections. The District shall make provisions for defraying the costs of all elections called and held under the provisions of this Act. The bond election order shall specify the date of the election, the amount of bonds to be authorized, the maximum maturity thereof, the maximum rate of interest they are to bear, the place or places where the election shall be held and the presiding officers thereof.

The bonds of the District may be issued for the purpose of refunding and paying off any bonds theretofore issued by such District. Such refunding bonds may be sold and proceeds thereof applied to the payment of outstanding bonds, or may be exchanged in whole or in part for not less than a like principal amount of such outstanding bonds provided that if refunding bonds are to be exchanged for a like amount of said outstanding bonds, such refunding bonds shall bear interest at the same or lower rate than borne by the bonds refunded, unless it is shown mathematically that a saving will result in the total amount of interest to be paid on said refunding bonds; and provided further that if such refunding bonds are to be sold and the proceeds thereof applied to the payment of any such outstanding bonds or other refundable indebtedness same shall be issued and payments made in the manner specified by Article 717k, Revised Civil Statutes of Texas, as amended.

Section 8. Bonds Exempt from Taxation. In carrying out the purposes of this Act the District will be performing an essential public function and any bonds issued by it and their transfer and the issuance therefrom, including any profits made in the sale thereof, shall at all times be free from taxation by the State or any municipality or political subdivision thereof.

Section 9. Purchases and Expenditures. The Board of Directors of such District shall have the power to prescribe the method and manner of making purchases and expenditures, by and for such Hospital District, and also shall be authorized to prescribe all accounting and control procedures and to make such rules and regula-

tions as may be required to carry out the provisions of this Act.

Section 10. District Depository. The Board of Directors of the District shall name one or more banks within Wheeler County to serve as depository for the funds of the District. All such funds shall, as derived and collected, be immediately deposited with such Depository Bank or Banks except that sufficient funds shall be remitted to the bank or banks for the payment of principal of and interest on the outstanding bonds of the District or other obligations assumed by it and in time that such money may be received by said bank or banks of payment on or prior to the date of maturity of such principal and interest so to be paid. To the extent that funds in the depository bank or banks are not insured by the federal deposit insurance corporation, they shall be secured in the manner provided by law for security of county funds. Membership on the Board of Directors of an officer or director of a bank shall not disqualify such bank from being designated as depository.

Section 11. Bonds Eligible for Investment and to Secure Deposits. All bonds of the District shall be and are hereby declared to be legal and authorized investments of banks, savings banks, trust companies, building and loan associations, savings and loan associations, insurance companies, fiduciaries, trustees, guardians, and sinking funds of cities, towns, villages, counties, school districts, or other political subdivisions of the State of Texas, and for all public funds of the State of Texas or its agencies, including the State Permanent School Fund. Such bonds shall be eligible to secure deposit of public funds of the State of Texas and public funds of cities, towns, villages, counties, school districts or other political subdivisions or corporations of the State of Texas; and such bonds shall be lawful and sufficient security for said deposits to the extent of their value when accompanied by all unmatured coupons appurtenant thereto.

Section 12. Eminent Domain. North Wheeler County Hospital District created hereunder shall have the right and power of eminent domain for the purpose of acquiring by condemnation any and all property of any kind and character in fee simple, or any lesser interest therein, within the boundaries of the District, necessary

or convenient to the powers, rights and privileges conferred by this Act, in the manner provided by General Law with respect to condemnation.

Section 13. Levy, Assessment and Collection of Taxes. The District shall use Wheeler County, Texas, tax values and Wheeler County, Texas, tax rolls. District taxes shall be assessed and collected in the same manner as provided by law with relation to County taxes. The Tax Assessor and/or Collector of Wheeler County shall be charged and required to accomplish the assessment and collection of all taxes levied by and on behalf of the District and to promptly pay over the same to the District Depository. For his services the County Tax Assessor-Collector shall be allowed such compensation as may be provided for by contract with the District but not to exceed the amount allowed for assessment and collection of County taxes. Provided further that the amount allowed for collection shall not exceed one (1%) per cent of the amounts collected as may be determined by the board of directors but in no event in excess of Two Thousand Five Hundred Dollars (\$2,500.00) for any one (1) fiscal year. The bond of the County Tax Assessor-Collector shall stand as security for the proper performance of his duties as Assessor-Collector of the District, or, if in the judgment of the District Board of Directors, it is necessary that additional bond payable to the District may be required. In all matters pertaining to the assessment, collection and enforcement of taxes for the District, the County Tax Assessor-Collector shall be authorized to act in all respects according to the laws of the State of Texas relating to State and County Taxes.

Section 14. Patients. Inquiry as to the Ability to Pay. Liability of Relative. Whenever a patient residing within the District has been admitted to the facilities thereof, the Administrator or Manager, shall cause inquiry to be made as to his circumstances and those of the relatives of such patient legally liable for his support. If he finds that such patient or said relatives are able to pay for his care and treatment, in whole or in part, an order shall be made directing such patient, or said relatives, to pay to the Hospital District for the support of such patient a specified sum per week in proportion to their finan-

cial ability, but such sum shall not exceed the actual per capita cost of maintenance. The Administrator or Manager shall have power and authority to collect such sums from the estate of the patient or his relatives legally liable for his support in the manner provided by law for the collection of expenses in the last illness of a deceased person. If the Administrator or Manager finds that such patient or said relatives are not able to pay, either in whole or in part, for his care and treatment in such hospital, same shall become a charge upon the Hospital District as to the amount of the inability to pay. Should there be any dispute as to the ability to pay or doubt in the mind of the Administrator or Manager, the Board of Directors shall hear and determine same, after calling witnesses, and shall make such order or orders as may be proper.

Section 15. Donations. The Board of Directors of the Hospital District is authorized on behalf of such District to accept donations, gifts and endowments to be held in trust and administered by the Board of Directors for such purposes and under such directions, limitations, and provisions as may be prescribed in writing by the donor, not inconsistent with proper management and object of the Hospital District.

Section 16. Annual Budget. The Board of Directors of said Hospital District shall cause to be prepared an annual budget based upon the fiscal year of the Hospital District in accordance with the provisions of Section 6 hereof and prior to September 1st of each year shall give notice of the public hearing on the proposed budget. Such notice shall be published in a newspaper of general circulation in the County at least ten (10) days prior to the date set for the hearing.

Section 17. District Alone to Incur Indebtedness for Hospital Purposes. After creation of North Wheeler County Hospital District, neither Wheeler County or no other municipality or political subdivision shall thereafter issue bonds or other evidences of indebtedness or levy taxes for hospital purposes for medical treatment of indigent persons within said District and the said North Wheeler County Hospital District shall assume full responsibility for the operation of all hospital facilities

for the furnishing of medical and hospital care of indigent persons.

Section 18. State Not to Be Obligated. The support and maintenance of the North Wheeler County Hospital District shall never become a charge against or obligation of the State of Texas, nor shall any direct appropriation be made by the Legislature for the construction, maintenance or improvement of any of the facilities of such District.

Section 19. Severability Clause. If any of the provisions of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Section 20. Publication of Notice. Proof of Publication of the notice required in the enactment hereof under the provisions of Section 9 of Article IX of the Texas Constitution has been made in the manner and form provided by law pertaining to the enactment of local and special laws and such notice is hereby found and declared proper and sufficient to satisfy such requirement.

Section 21. Emergency Clause. The fact that there is urgent need to provide for the creation of the North Wheeler County Hospital District, authorized by Section 9 of Article IX of the Texas Constitution, creates an emergency and an imperative public necessity that the Constitutional rule requiring bills to be read on three several days shall be suspended, and said rule is hereby suspended and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

Senator Hazlewood offered the following amendment to the bill:

Amend House Bill No. 330 by striking all above the enacting clause and substituting in lieu thereof the following:

A BILL TO BE ENTITLED

AN ACT providing for the creation of North Wheeler County Hospital District with boundaries coextensive with the boundaries of Commissioners' Precincts 1 and 2 of Wheeler County, pursuant to au-

thority granted by Section 9 of Article IX of the Texas Constitution; providing for elections on the questions of the creation of such District and the levy of a tax not to exceed Seventy-five Cents (75¢) for its maintenance support and the payment of bonds issued by it; providing the District with power to issue bonds, and methods for authorizing same, for the purpose of the purchase, construction, acquisition, repair or renovation of buildings and improvements and equipping same for hospital purposes, and for any and all such purposes, and for the refunding of such bonds; providing that bonds issued by the District shall be lawful investments and security for certain funds; providing a governing body for such District, its powers and duties and the tenure of its members; withdrawing authority for the sale of bonds or levy of taxes for hospital purposes within the District by Wheeler County or any other municipality or political subdivision therein; enacting other provisions incident and germane to the subject and purpose of this Act; providing a severance clause and declaring an emergency.

The amendment was adopted.

The bill as amended was passed to third reading.

House Bill 330 on Third Reading

Senator Hazlewood moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 330 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 336 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 336, A bill to be entitled "An Act creating a Hospital District for Commissioners Court Precincts 3 and 4 of Wheeler County, Texas, and providing for taxation, issuance of bonds, acceptance and receipts of existing facilities, assumption of liabilities, and obligations, by said Hospital District, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 336 on Third Reading

Senator Hazlewood moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 336 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hall
Bates	Hardeman
Blanchard	Harrington
Calhoun	Hazlewood
Cole	Herring
Colson	Kazen
Creighton	Kennard
Crump	Krueger
Dies	Moffett

Moore	Rogers
Owen	Schwartz
Parkhouse	Spears
Patman	Strong
Ratliff	Watson
Reagan	Word
Richter	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 734 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 734, A bill to be entitled "An Act validating certain levies for ad valorem taxes heretofore made by the governing bodies of certain cities and towns in this State; making other provisions relating thereto; providing that this Act shall not affect any suit pending in any court of this State on the effective date of this Act; providing a severability clause; and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 734 to third reading.

House Bill 734 on Third Reading

Senator Hazlewood moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 734 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Bates	Krueger
Blanchard	Moffett
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

Nays—3

Aikin	Owen
Hardeman	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—28

Bates	Krueger
Blanchard	Moffett
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

Nays—3

Aikin	Owen
Hardeman	

House Bill 343 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 343, A bill to be entitled "An Act amending Statutes to increase jurisdiction of Small Claims Courts, etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 343 on Third Reading

Senator Herring moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 343 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 572 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 572, A bill to be entitled "An Act amending Chapter 402, Acts of the Fifty-fifth Legislature, Regular Session, (Vernon's Texas Civil Statutes, Article 6228a), pertaining

to the Employees Retirement System of Texas, amending Section 5, Subsection C, to provide for the calculation of occupational disability retirement benefits; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 572 on Third Reading

Senator Herring moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 572 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 691 on Second Reading

The Presiding Officer laid before

the Senate on its second reading and passage to third reading:

H. B. No. 691, A bill to be entitled "An Act amending Section 2 of Chapter 53, Acts of the 40th Legislature, First Called Session, 1927, as last amended and compiled as Section 2 of Article 696a Vernon's Annotated Penal Code of the State of Texas; excepting refuse, garbage, rubbish or junk processed and treated in accordance with rules and standards promulgated by the State Department of Health from those provisions making it unlawful to dump, deposit, or leave refuse, garbage, rubbish or junk within three hundred (300) yards of any public highway; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 691 on Third Reading

Senator Herring moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 691 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Colson
Bates	Creighton
Blanchard	Crump
Calhoun	Dies
Cole	Hall

Hardeman	Patman
Harrington	Ratliff
Hazlewood	Reagan
Herring	Richter
Kazen	Rogers
Kennard	Schwartz
Krueger	Spears
Moffett	Strong
Moore	Watson
Owen	Word
Parkhouse	

House Bill 737 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 737, A bill to be entitled "An Act amending Chapter 17 of Acts 3rd Called Session, 56th Legislature (codified as Chapter 17 of Title 122A Vernon's Civil Statutes) by adding thereto a new section providing that a warehouse or storage place operated by a common carrier or carrier holding a certificate or permit from the Railroad Commission shall not be considered a store or mercantile establishment under the chain store tax law, provided no sales are made therefrom; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 737 on Third Reading

Senator Herring moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 737 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 165 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 165, A bill to be entitled "An Act amending Articles 1577 and 1578a, and adding Article 1578b, Penal Code of Texas, 1925, concerning employment of children, repealing Article 5181, Revised Civil Statutes of Texas, 1925, and all other laws and parts of laws in conflict herewith; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 165 on Third Reading

Senator Kennard moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 165 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hall
Bates	Hardeman
Blanchard	Harrington
Calhoun	Hazlewood
Cole	Herring
Colson	Kazen
Creighton	Kennard
Crump	Krueger
Dies	Moffett

Moore	Rogers
Owen	Schwartz
Parkhouse	Spears
Patman	Strong
Ratliff	Watson
Reagan	Word
Richter	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 180 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 180, A bill to be entitled "An Act to establish the County Criminal Court of Appeals of Tarrant County, Texas, to define the jurisdiction thereof and to conform to such change the jurisdiction of the County Court of Tarrant County, the County Criminal Court of Tarrant County and the County Criminal Court No. 1 of Tarrant County; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 180 on Third Reading

Senator Kennard moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 180 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Bates
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Blanchard	Moffett
Calhoun	Moore
Cole	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word
Krueger	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 344 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 344, A bill to be entitled "An Act amending Section 1 of Chapter 360, Acts of the 54th Legislature, 1955 (compiled as Article 2775-a-1 of Vernon's Texas Civil Statutes), to provide for the election of school trustees in independent school districts of six thousand (6,000) or more scholastics; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 344 on Third Reading

Senator Krueger moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and

that H. B. No. 344 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Krueger
Blanchard	Moffett
Calhoun	Moore
Cole	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

Nays—1

Bates

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Krueger
Blanchard	Moffett
Calhoun	Moore
Cole	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

Nays—1

Bates

House Bill 947 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 947, A bill to be entitled "An Act authorizing the State Highway Commission to negotiate with the City of Wichita Falls concerning possible sale to that city by the State of a certain tract of land and improvements thereon; providing a pe-

riod of time within which such negotiation may take place; prescribing procedure; authorizing the Governor to convey this land upon recommendation by the Commissioner; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 947 on Third Reading

Senator Moffett moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 947 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 995 on Second Reading

The Presiding Officer laid before

the Senate on its second reading and passage to third reading:

H. B. No. 995, A bill to be entitled "An Act abolishing Junior College Districts which have conveyed all or substantially all of their property to a State supported Senior College or University and which have no outstanding bonded indebtedness; providing for the continued collection and disposition of delinquent taxes in said Junior College District; repealing all laws and parts of laws in conflict herewith; providing a severability clause; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 995 on Third Reading

Senator Moffett moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 995 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Dies
Bates	Hall
Blanchard	Hardeman
Calhoun	Harrington
Cole	Hazlewood
Colson	Herring
Creighton	Kazen
Crump	Kennard

Krueger	Richter
Moffett	Rogers
Moore	Schwartz
Owen	Spears
Parkhouse	Strong
Patman	Watson
Ratliff	Word
Reagan	

House Bill 606 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 606, A bill to be entitled "An Act fixing a year-round open season on pheasants and chukars in Lee County; repealing all laws in conflict; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 606 on Third Reading

Senator Moore moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 606 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Cole
Bates	Colson
Blanchard	Creighton
Calhoun	Crump

Dies	Parkhouse
Hall	Patman
Hardeman	Ratliff
Harrington	Reagan
Hazlewood	Richter
Herring	Rogers
Kazen	Schwartz
Kennard	Spears
Krueger	Strong
Moffett	Watson
Moore	Word
Owen	

Committee Substitute**House Bill 274 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

C. S. H. B. No. 274, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 15, Section 59, Constitution of Texas, known as Butterfield Water Control and Improvement District, located in El Paso County, Texas; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

Committee Substitute**House Bill 274 on Third Reading**

Senator Owen moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C. S. H. B. No. 274 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 488 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 488, A bill to be entitled "An Act amending Section 10 of Chapter 76, Acts of the Forty-third Legislature, 1933, as amended (compiled as Section 10 of Article 7807r, Vernon's Texas Civil Statutes), relating to Board of Directors of Water Power Control District and the terms of such Directors, to provide that Directors shall receive compensation for their services in the sum of Twenty-five Dollars (\$25) for each and every day taken in the discharge of their duties; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 488 on Third Reading

Senator Owen moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 488 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Dies
Bates	Hall
Blanchard	Hardeman
Calhoun	Harrington
Cole	Hazlewood
Colson	Herring
Creighton	Kazen
Crump	Kennard

Krueger	Richter
Moffett	Rogers
Moore	Schwartz
Owen	Spears
Parkhouse	Strong
Patman	Watson
Ratliff	Word
Reagan	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 191 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 191, A bill to be entitled "An Act limiting the provisions of this Act to the County of Goliad; making it unlawful except under the provisions of this Act, for any person to hunt, take, kill, or attempt to kill, or possess, any deer or wild turkey, in said County; providing the powers, duties and authority of the Game and Fish Commission; etc.; and declaring an emergency."

The bill was read second time.

Senator Patman offered the following committee amendment to the bill:

Amend House Bill No. 191 by striking all below the enacting clause and substituting in lieu thereof the following:

"Section 1. The provisions of this Act, other than Section 15, shall apply only to Goliad and Live Oak Counties. It shall be unlawful, except as provided in this Act, for any per-

son to hunt, take, kill, or possess, or attempt to take or kill any deer, wild turkey, quail or alligator of said Counties at any time. In order to better conserve an ample supply of deer, wild turkey, quail and alligator resources, to the end that the most reasonable and equitable privileges may be enjoyed by the people of this State and their posterity in their ownership and in the taking of such resources, it is deemed for the public welfare that this Legislature should provide a law adaptable to changing conditions and emergencies which threaten depletion or waste of such wildlife resources of said Counties. The Parks and Wildlife Commission is therefore granted the authority, power and duty to provide, by proclamation, rule or regulation, from time to time, periods of time when it shall be lawful to take a portion of the deer, wild turkey, quail and alligator resources of said Counties, when its investigation and findings of fact disclose that there is an ample supply of such wildlife resources that a portion thereof may be taken which will not threaten depletion or waste of such supply. It shall also, by proclamation, rule, or regulation, from time to time, provide the means and the method and the place and the manner in which such wildlife resources may be lawfully taken; provided, however, that it shall be unlawful for any person to hunt, take kill or possess, or attempt to hunt, take, or kill any game bird or game animal in said Counties at any time, or to take, kill, trap or possess, or attempt to take, kill or trap any furbearing animal in said Counties at any time; or to take or attempt to take any fish by any means or methods in said Counties at any time; unless the owner of the land or the water, or his duly authorized agent, shall give consent thereto.

Sec. 2. It shall be the duty of the Parks and Wildlife Commission to conduct, from time to time, or continuously, scientific research investigations and studies of the supply, economic value, environment, breeding habits, and wherever practicable the sex ratio of the different species of wildlife resources as well as the factors affecting their increase or decrease, particularly with reference to hunting, disease, infestation, predation, agricultural pressure, overpopulation, and any and all other factors that enter into a reduction or an in-

crease in the supply of such wildlife resources as well as the factors affecting their increase or decrease, particularly with reference to hunting, disease, infestation, predation, agricultural pressure, overpopulation, and any and all other factors that enter into a reduction or an increase in the supply of such wildlife resources of said Counties. Pursuant to and based upon such studies, said Commission shall enter its findings of fact with respect thereto, and if, in the opinion of the Commission, an open season or period of time may be safely provided for taking any of the wildlife resources, said Commission is authorized and directed from time to time to provide an open season or period of time when such wildlife resources may be taken. The proclamation, rule or regulation issued by the Commission shall be specific as to the quantity, species, sex, insofar as practicable, age or size that may be taken. Such proclamation, rule or regulation shall provide the method or means that may be resorted to as well as the area, county or portion of the county where such wildlife resources may be taken. In order to prevent depletion or waste of the deer, wild turkey, quail and alligator resources of said Counties, the Parks and Wildlife Commission shall have authority from time to time by proclamation, rule or regulation to conserve such resources of said Counties by an open season or period of time when it shall be lawful to take a portion of such wildlife resources.

Sec. 3 When said Commission finds from its investigations herein provided for, that danger of depletion, as defined in this Act, of any species of deer, wild turkey, quail or alligator exists in any portion of said Counties, it shall be the duty of said Commission to revoke or modify or otherwise amend its order or orders so as to deter or prevent contribution to depletion of such species by the taking thereof. When said Commission finds that danger of waste, as defined in this Act, of any such species of deer, wild turkey, quail or alligator, or sex thereof, exists in any portion of said Counties, it shall be the duty of said Commission to issue or amend or revoke or modify such of its rules and regulations as will afford to all of the people of this State the most equitable and reasonable privileges in the pursuit, taking or killing of such species or sex thereof in said area. When the

Commission finds that danger of depletion exists in any area by virtue of an Act of God, the Commission shall declare a state of emergency as to such species in said area, and its orders, rules and regulations issued under such state of emergency shall take effect and be in full force immediately upon the issuance thereof.

Sec. 4. 'Depletion' as used in this Act shall be construed to mean reduction of a species below immediate recuperative potentials by any deleterious cause or causes.

Sec. 5. 'Waste' as used in this Act shall be construed to mean supply of a species or sex thereof sufficient that a seasonal harvest thereof will not prevent or, in the case of overpopulation that will aid in the re-establishment of normal numbers of such species.

Sec. 6. The Parks and Wildlife Commission's proclamation, rule or regulation permitting the hunting or taking of antlerless deer, shall not be valid until the owner or person in charge of the land upon which antlerless deer are to be taken shall have agreed in writing to the removal by hunting of such antlerless deer from his tract under supervision and regulation of the Commission; and to the number of antlerless deer which may be removed therefrom. No person shall, in any event, hunt, or kill any antlerless deer, without first having procured a currently valid hunting permit therefor, issued by the Parks and Wildlife Department. Such antlerless deer permit shall be issued in such form and under such rules as may be prescribed by the Parks and Wildlife Commission.

Sec. 7. There shall be a public hearing held in each county to be affected by a proposed rule, regulation, or order before such proposed rule, regulation, or order is adopted by said Commission in the County. Notice of this public hearing must be given in a newspaper published in the county at least ten (10) days prior to the date of the hearing. If no newspaper is published in the county, notice of such hearing must be given in the newspaper published in an adjoining county and in the newspaper best known by the inhabitants of the county in which the rule, regulation, or order is to be in effect. The hearing may be conducted by an employee of the Parks and Wildlife Department upon order of the Commission or upon order

of one member of the Commission, it not being necessary for the Commission or some member of the Commission to be present.

Sec. 8. Orders, rules and regulations shall be adopted by a quorum of the Commission, and only at any regular or special Commission meeting or meetings, of the date and time of which each Commissioner shall have been notified in writing by the Executive Director of said Commission (or his assistant in his absence), and such meetings for such purpose shall be held in the Commission's office at Austin, Texas. Any person interested shall be entitled to be heard at such meetings and to introduce evidence as to imminence of waste or depletion, as defined in this Act. Two (2) members, or the Chairman and one (1) member of said Commission shall constitute a quorum. No order, rule or regulation, general or local, shall be adopted at any regular or special meeting of the Commission unless a quorum is present.

Sec. 9. Orders, rules, and regulations adopted by the Commission shall become effective at a time fixed by the Commission but not earlier than fifteen (15) days after their adoption, except in case of emergency as provided in this Act, and shall continue in full force and effect until they shall expire by their own terms, or are revoked or amended by said Commission.

Sec. 10. Immediately after its adoption a copy of each order, rule or regulation adopted by said Commission shall be numbered and filed in its office in Austin, Texas and a copy thereof shall be filed in the office of the Secretary of State, and the offices of the county clerk and county attorney of the county affected, and a mimeographed copy shall be furnished to each employee of said Commission.

Sec. 11. The particular regulatory powers herein granted to said Commission shall not be construed to limit other and general powers conferred upon it by law.

Sec. 12. The Parks and Wildlife Commission is hereby expressly given the power and authority to review its own orders and to modify or revise the same as it shall find the facts to warrant. Any suit that may be filed to test the validity of any proclamation, rule, order or regulation of the Commission, passed pursuant to this Act, must be brought in the county

where such order is to be effective, and not elsewhere. Such suit shall be advanced by trial and determined as quickly as possible. In all such trials the burden of proof shall be upon the party complaining of such order, proclamation, rule or regulation to show it is invalid.

Sec. 13. (a) Any person who shall violate any provision of this Act, or any person who shall violate any proclamation, order, rule or regulation issued by the Parks and Wildlife Commission under the provisions of this Act, shall be deemed guilty of a misdemeanor and upon conviction therefor shall be fined a sum not less than Five Dollars (\$5) nor more than Two Hundred Dollars (\$200). Each deer, wild turkey, quail or alligator taken or possessed in violation of this Act or of any proclamation, order, rule or regulation issued by said Parks and Wildlife Commission shall constitute a separate offense.

(b) Any person convicted of violating this Act or any proclamation, order, rule or regulation of the Parks and Wildlife Commission under the provisions of this Act relating to hunting or taking in any manner, shall, within the discretion of the court or jury trying the offense, forfeit such hunting license, for such period of time as the court or jury might determine, but such period of forfeiture shall not extend beyond the remainder of the license year.

(c) No person who has had his license forfeited under this Act shall be entitled to purchase or receive from said Commission, or any of its authorized agents, a similar license for such period of forfeiture; and it shall be unlawful for such person to purchase or possess another such license for such period.

As an exception to Subsection (a) of this Section 13, any person violating any of the provisions of this Subsection (c) shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum not less than Twenty-five Dollars (\$25) nor more than Two Hundred Dollars (\$200).

Sec. 14. For the purpose of this Act, the wildlife resources of said Counties are defined to be all deer, wild turkeys, quail and alligators.

Sec. 15. (a) No person shall take or kill or attempt to take or kill any alligator in Refugio County at any time.

(b) Any person who violates any

provision of Subsection (a) of this section shall be fined not more than One Hundred Dollars (\$100). Punishments prescribed in Section 13 of this Act are not applicable to offenses under this section.

Sec. 16. (a) All laws and parts of laws, both general and special, prescribing an open season or period of time when it shall be lawful to take or kill any of the wildlife resources of said Counties and all laws and parts of laws, general and special prescribing or limiting the methods or means or manner in which the wildlife resources of said counties are taken, be and the same are hereby repealed, except as herein provided. Any and all laws, general and special, in conflict with the provisions of this Act are likewise repealed to the extent of such conflict only.

(b) From and after the effective date of this Act there shall be a period of time within which the Parks and Wildlife Commission may conclude its investigations, hold its hearings, and promulgate its proclamations, orders, rules and regulations. Until such orders, rules and regulations of the Parks and Wildlife Commission are adopted in accordance with the provisions of this Act, all general and special laws relating to the taking of any of the wildlife resources in said Counties shall remain in full force and effect.

Sec. 17. It is hereby declared to be the legislative intent to enact each separate provision of this Act independent of all other provisions, and the fact that any section, word, clause, sentence, or part of this Act shall be declared unconstitutional shall in no event affect any other section, word, clause, sentence or part thereof; and it is hereby declared to be the intention of the Legislature to have passed each sentence, section, clause, or part thereof irrespective of the fact that any other section, sentence, clause or part thereof may be declared invalid.

Sec. 18. The fact that the calendars of both houses of the Legislature are crowded creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and such Rule is hereby suspended."

The committee amendment was adopted.

On motion of Senator Patman and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 191 to third reading.

House Bill 191 on Third Reading

Senator Patman moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 191 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

Nays—1

Hardeman

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Hazlewood
Bates	Herring
Blanchard	Kazen
Calhoun	Kennard
Cole	Krueger
Colson	Moffett
Creighton	Moore
Crump	Owen
Dies	Parkhouse
Hall	Patman
Harrington	Ratliff

Reagan	Spears
Richter	Strong
Rogers	Watson
Schwartz	Word

Nays—1

Hardeman

House Bill 631 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 631, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article XVI, Section 59, of the Constitution of Texas, comprising certain territory contained in McMullen County, Texas, to be known as McMullen County Water Control and Improvement District Number Two; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 631 on Third Reading

Senator Patman moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 631 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Bates
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Blanchard	Moffett
Calhoun	Moore
Cole	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word
Krueger	

House Bill 367 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 367, A bill to be entitled "An Act creating two additional County Courts of Dallas County at Law to be known and designated as County Court of Dallas County at Law Number 3 and County Court of Dallas County at Law Number 4, providing the term and jurisdiction of said courts; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 367 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 367 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Committee Substitute for House Bill 686 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

C. S. H. B. No. 686, A bill to be entitled "An Act to amend Paragraph 8 of Section C of Part I of Article 3.39, Insurance Code of Texas, as amended, to permit life, health and accident insurance companies to invest not more than twenty-five (25) per cent of their capital, surplus and contingency funds in the capital stock of any one affiliated fire and casualty company; providing for severability; and declaring an emergency."

The bill was read second time and was passed to third reading.

Committee Substitute for House Bill 686 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C. S. H. B. No. 686 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Colson
Bates	Creighton
Blanchard	Crump
Calhoun	Dies
Cole	Hall

Hardeman	Patman
Harrington	Ratliff
Hazlewood	Reagan
Herring	Richter
Kazen	Rogers
Kennard	Schwartz
Krueger	Spears
Moffett	Strong
Moore	Watson
Owen	Word
Parkhouse	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 459 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 459, A bill to be entitled "An Act permitting reliance and discharge based upon certain information pertaining to a recording or record in the payment of licensing or performing fees; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 459 on Third Reading

Senator Ratliff moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 459 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Crump	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 767 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 767, A bill to be entitled "An Act authorizing Boards of Trustees of certain common school districts, upon a majority vote of the qualified property tax-paying voters of the District, to appoint an assessor-collector of taxes and a board of equalization for such District; providing the powers and duties of such assessor-collector and boards of equalization; providing for severability; and declaring an emergency."

The bill was read the second time.

Senator Moffett offered the following amendment to the bill:

Amend Section 1 of House Bill No. 767 by inserting immediately after the comma following the words "federal census" the following: "and in all common school districts in this state having an assessed valuation of Seven Hundred Forty Thousand Dollars (\$740,000) or more but less than One Million Five Hundred Thousand Dollars (\$1,500,000) and located in a county having a population of more than seven thousand, three hundred and ten (7,310) but less than seven thousand, nine hundred and twenty (7,920) according to the last preceding federal census."

The amendment was adopted.

On motion of Senator Ratliff and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 767 on Third Reading

Senator Ratliff moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on several days be suspended and that H. B. No. 767 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 527 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 527, A bill to be entitled "An Act amending Acts 1959, 56th Legislature, Page 56, Chapter 31, to provide additional compensation for the Judge of the Court of Domestic Relations of Nueces County to be paid out of the General Funds of Nueces County; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 527 on Third Reading

Senator Reagan moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 527 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moffett
Cole	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Hall	Reagan
Hardeman	Richter
Harrington	Rogers
Hazlewood	Schwartz
Herring	Spears

Strong
Watson

Word

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 713 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 713, A bill to be entitled "An Act amending Section 1 of Chapter 247, Acts of the 56th Legislature, 1959, to prohibit the use of bait trawls in the tidal waters of Willacy County west of Padre Island with a mesh size less than one and one-fourth ($1\frac{1}{4}$) inch stretch between the knots; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 713 on Third Reading

Senator Reagan moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 713 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Colson
Bates	Creighton
Blanchard	Crump
Calhoun	Dies
Cole	Hall

Hardeman	Patman
Harrington	Ratliff
Hazlewood	Reagan
Herring	Richter
Kazen	Rogers
Kennard	Schwartz
Krueger	Spears
Moffett	Strong
Moore	Watson
Owen	Word
Parkhouse	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 493 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 493, A bill to be entitled "An Act making it unlawful except under the provisions of this Act, for any person to hunt, take, kill or attempt to kill, or possess, any game bird or game animal in Guadalupe and Nacogdoches Counties at any time; etc.; and declaring an emergency."

The bill was read second time.

Senator Richter offered the following amendment to the bill:

Amend House Bill No. 493 by striking the words "Game and Fish Commission" wherever they appear in the bill and inserting in lieu thereof the words "Parks and Wildlife Commission."

The amendment was adopted.

On motion of Senator Richter and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 493 to third reading.

House Bill 493 on Third Reading

Senator Richter moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 493 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

Nays—2

Hardeman Owen

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—29

Aikin	Hazlewood
Bates	Herring
Blanchard	Kazen
Calhoun	Kennard
Cole	Krueger
Colson	Moffett
Creighton	Moore
Crump	Parkhouse
Dies	Patman
Hall	Ratliff
Harrington	Reagan

Richter	Strong
Rogers	Watson
Schwartz	Word
Spears	

Nays—2

Hardeman Owen

House Bill 587 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 587, A bill to be entitled "An Act amending Article 1632 of the Penal Code of Texas, 1925, relating to refusal to allow reportedly diseased livestock to be examined by the Texas Animal Health Commissioner; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 587 on Third Reading

Senator Rogers moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 587 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Calhoun
Bates	Cole
Blanchard	Colson

Creighton	Owen
Crump	Parkhouse
Dies	Patman
Hall	Ratliff
Hardeman	Reagan
Harrington	Richter
Hazlewood	Rogers
Herring	Schwartz
Kazen	Spears
Kennard	Strong
Krueger	Watson
Moffett	Word
Moore	

House Bill 105 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 105, A bill to be entitled "An Act abolishing the Rules in Shelley's Case, the Rule Forbidding a Remainder to the Grantor's Heirs, and the Doctrine of Worthier Title; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 105 on Third Reading

Senator Schwartz moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 105 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 254 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 254, A bill to be entitled "An Act making it unlawful for a fisherman engaged commercially in a joint venture or other undertaking whereby he receives a percentage of proceeds of sale of catch, or a share of the catch, or who is employed on a salary or other basis, to sell, or to offer for sale, except in the regular course of business, or without the consent of his employer, fish, shrimp, oysters or other seafood; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 254 on Third Reading

Senator Schwartz moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 254 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Harrington
Bates	Hazlewood
Blanchard	Herring
Calhoun	Kazen
Cole	Kennard
Colson	Krueger
Creighton	Moffett
Crump	Moore
Dies	Owen
Hall	Parkhouse
Hardeman	Patman

Ratliff	Spears
Reagan	Strong
Richter	Watson
Rogers	Word
Schwartz	

The Presiding Officer then laid the bill before the Seante on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 972 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 972, A bill to be entitled "An Act authorizing any independent school district having an assessed valuation for school tax purposes of Four Million Two Hundred Fifty Thousand Dollars (\$4,250,000) or more but less than Six Million Dollars (\$6,000,000), and lying within a county having a population of seventy-five thousand (75,000) or more but less than eighty thousand (80,000), according to the last preceding federal census, to levy a combined bond and maintenance tax not to exceed Two Dollars (\$2) per One Hundred Dollars (\$100) valuation of taxable property located therein; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 972 on Third Reading

Senator Schwartz moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and

that H. B. No. 972 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 992 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 992, A bill to be entitled "An Act relating to the establishment of a hospital district coterminous with the Sweeny Independent School District and another coterminous with the West Columbia-Brazoria Independent School District, and the Damon Independent School District, except that land which

formerly comprised the Brazoria School District prior to February 28, 1959, and being described herein by metes and bounds; etc., and declaring an emergency."

The bill was read second time and was passed to third reading:

House Bill 992 on Third Reading

Senator Schwartz moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 992 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 998 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 998, A bill to be entitled "An Act amending Section 1 of Chapter 177, Acts of the 39th Legislature, Regular Session, 1925, as amended by Section 1 of Chapter 367, Acts of the 55th Legislature, Regular Session, 1957, compiled as Section 1 of Article 923m, Vernon's Annotated Penal Code, so as to exclude coypu (nutria) from definition as a fur-bearing animal; providing for severability; repealing conflicting laws; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 998 on Third Reading

Senator Schwartz moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 998 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Cole
Bates	Colson
Blanchard	Creighton
Calhoun	Crump

Dies	Parkhouse
Hall	Patman
Hardeman	Ratliff
Harrington	Reagan
Hazlewood	Richter
Herring	Rogers
Kazen	Schwartz
Kennard	Spears
Krueger	Strong
Moffett	Watson
Moore	Word
Owen	

House Bill 573 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 573, A bill to be entitled "An Act declaring noxious certain aquatic plants in that portion of Cad-do Lake situated in Harrison and Marion Counties; authorizing the Commissioner of the General Land Office to execute exclusive contracts for removal of noxious aquatic plants; prescribing contract requirements; passing title to noxious aquatic plants to contractor when removed pursuant to contract; establishing venue; containing a severability; and declaring an emergency."

The bill was read second time.

Senator Strong offered the following amendment to the bill:

Amend H. B. No. 573 by deleting the word "with" on line 60 of page 1 of such bill and inserting the word "without" in lieu thereof.

The amendment was adopted.

On motion of Senator Strong and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 573 on Third Reading

Senator Strong moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 573 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Blanchard
Bates	Calhoun

Cole	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Hall	Reagan
Hardeman	Richter
Harrington	Rogers
Hazlewood	Schwartz
Herring	Spears
Kazen	Strong
Kennard	Watson
Krueger	Word
Moffett	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

House Bill 863 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 863, A bill to be entitled "An Act amending Chapter 3, of the Insurance Code of the State of Texas by amending Article 3.11 thereof, providing for the payment of policyholder dividends from expense loading and profits; providing for the payment of stockholder dividends from earned surplus of the company; providing for severability; and declaring an emergency."

The bill was read second time.

Senator Watson offered the following amendment to the bill:

Amend H. B. No. 863 by re-numbering the present Section 3 as Sec-

tion 4 and adding a new Section 3 to read as follows:

"Section 3. All laws or parts of laws in conflict with this Act are expressly repealed to the extent of the conflict only; and this Act shall prevail over any conflicting provisions or laws."

The amendment was adopted.

On motion of Senator Watson and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 863 on Third Reading

Senator Watson moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 863 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Hardeman
Bates	Harrington
Blanchard	Hazlewood
Calhoun	Herring
Cole	Kazen
Colson	Kennard
Creighton	Krueger
Crump	Moffett
Dies	Moore
Hall	Owen

Parkhouse	Schwartz
Patman	Spears
Ratliff	Strong
Reagan	Watson
Richter	Word
Rogers	

House Concurrent Resolution 37 on Second Reading

The Presiding Officer laid before the Senate on its second reading the following resolution:

H. C. R. No. 37, Authorizing the Governor of the State of Texas to execute a lease to the City of Austin of certain land for public recreational purposes.

The resolution was read and was adopted.

House Concurrent Resolution 38 on Second Reading

The Presiding Officer laid before the Senate on its second reading the following resolution:

H. C. R. No. 38, Granting permission to George Rich of Houston, Harris County, Texas, to sue the State of Texas.

The resolution was read and was adopted.

Bill and Resolution Added to Local and Uncontested Bills Calendar

On motion of Senator Calhoun and by unanimous consent H. B. No. 369 and S. C. R. No. 53 were added to Local and Uncontested Bills Calendar.

Senate Concurrent Resolution 53 on Second Reading

The Presiding Officer laid before the Senate on its second reading the following resolution:

S. C. R. No. 53, Granting Eldridge Jarrell permission to sue the State of Texas.

The resolution was read and was adopted.

House Bill 369 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

"H. B. No. 369, A bill to be entitled "An Act requiring identification signs on vehicles hauling citrus fruit in bulk and requiring that drivers of

such vehicles have papers concerning the citrus fruit being hauled; providing for the exemptions from such requirements; providing penalties for violations; repealing conflicting laws; providing for severability; providing an effective date; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 369 on Third Reading

Senator Bates moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 369 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yea—31

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moffett
Cole	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Hall	Reagan
Hardeman	Richter
Harrington	Rogers
Hazlewood	Schwartz
Herring	Spears

Strong
Watson

Word

Conclusion of Session for Consideration of Local and Uncontested Bills Calendar

The Presiding Officer (Senator Hardeman in the Chair) announced that the session for the Consideration of the Local and Uncontested Bills Calendar was concluded.

(President in the Chair.)

Motion to Recess

On motion of Senator Hardeman the Senate agreed to take recess until 2:00 o'clock p.m. today subject to the Joint Session pursuant to H. C. R. No. 78.

Joint Session

The President announced at 11:30 o'clock p.m. that the time had arrived pursuant to the provisions of H. C. R. No. 78 for the Joint Session to entertain guests and hear address of delegates to the eighteenth semi-annual International Good Neighbor Council.

The President of the Senate and the Senators present escorted by the Sergeant-at-Arms and the Secretary of the Senate proceeded to the Hall of the House of Representatives at 11:30 o'clock a.m.

The President was invited to occupy a seat on the Speaker's Rostrum.

The Senators were announced and were admitted and escorted to seats prepared for them along the aisle.

The officers of the International Good Neighbor Council and party accompanied by the Honorable John Connally, Governor of Texas, and Mrs. Connally were announced by the Doorkeeper of the House.

The guests were escorted to the Speaker's Rostrum by Senators Bates, Owen and Kazen, on the part of the Senate, and Representatives de la Garza, Dungan, Ligarde, Neimeyer, Pipkin, Harding, Esquivel and Adams, on the part of the House.

The President called the Senate to order and announced a quorum of the Senate present.

Honorable Byron Tunnell, Speaker of the House of Representatives,

called the House to order, stated the purpose of the Joint Session and announced a quorum of the House present.

The Speaker of the House announced the purpose of the Joint Session and presented Representative Eligio de la Garza to the Joint Session.

Representative de la Garza presented the following distinguished guests to the Joint Session:

Governor Praxedes Giner of the State of Chihuahua and Mrs. de Giner.

Lic. Umberto Martinez Vargas (Governor Duran's Secretary).

Sr. Felix Alfonso Lujo (Mayor of Juarez) and wife.

Sr. Roberto Urrea (Consul General of Mexico in El Paso, Texas).

Ing. Jose Mugeurza (Representative of the Governor of Nuevo Leon, and Mrs. M. Ugeurza.

Mr. Herman H. Fleisham, Vice President of the International Good Neighbor Council).

Senator Tomas Valles, Federal Senator.

Mr. Jack Drake, Vice President, U. S. Division, IGNC.

Dr. Francisco Villagran, Representative of Mr. Manuel Tello.

Consul General in San Antonio, Texas.

Sr. Amado Trevino and wife, representing the Governor of Tamaulipas, Sr. Lic. Praxedis Balboa.

Lic. Julio de la Pena, representing the Governor of Coahuila, General Raul Madero Gonzales.

Lic. Jose Estrada and wife, representing the Governor of Durango, Sr. Don Enrique Dupre Cenicerros.

Sr. Wulfrana Ruiz and wife, representing Lic. Miguel Aleman.

Mr. Terrence Leondary, representing U. S. Ambassador Thomas Mann.

The Speaker then presented Governor Connally who welcomed the guests to the State.

Representative de la Garza then introduced Governor Duran who responded to the welcome.

Representative Dungan then presented special guest Julian de la Pena as representative of the Governor

of Chihuahua and he addressed the Joint Session.

Recess

The President announced the purpose of the Joint Session concluded and at 12:10 o'clock p.m. that the Senate would stand recessed until 2:00 o'clock p.m. today on motion previously adopted in the Senate.

After Recess

The President called the Senate to order at 2:00 o'clock p.m. today.

Bill Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill:

H. B. No. 106, A bill to be entitled "An Act amending Chapter 20, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, as last amended by Chapter 24, Acts, Fifty-seventh Legislature, First Called Session, 1961; imposing a limited sales, excise and use tax on the sale or use of certain tangible personal property in this state and providing for the administration and enforcement of such tax and the allocation of revenues therefrom; amending Chapter 6 of Title 122A, Taxation—General, of the Revised Civil Statutes of Texas (Motor Vehicle Retail Sales and Use Tax); amending Article 12.21, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, as last amended by Chapter 24, Acts of the Fifty-seventh Legislature, First Called Session, 1961, so as to impose an additional franchise tax for the period from May 1, 1964, to and including April 30, 1965; providing a saving clause; providing a severability clause; providing for an effective date; repealing laws in conflict; and declaring an emergency."

House Bills on First Reading

The following bills received from the House, were read the first time and referred to the committees indicated:

H. B. No. 418, To the Committee on Public Health.

H. B. No. 938, To the Committee on Insurance.

Message from the House

Hall of the House of Representatives

Austin, Texas,
May 9, 1963.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 854, A bill to be entitled "An Act amending Article 1287-1, Vernon's Annotated Civil Statutes of Texas, Acts 1937, 45th Legislature, Page 926, Chapter 443; Acts 1937, 45th Legislature, First Called Session, Page 1776, Chapter 16, Sec. 1, last amended by Senate Bill No. 308, Acts 1957, 55th Legislature, Page 745, Chapter 306, Sec. 2; amending Article 1287-2, Vernon's Annotated Civil Statutes of Texas, Acts 1937, 45th Legislature, First Called Session, Page 1766, Chapter 16, Sec. 3; increasing the amount of the bonds required for a license to operate under said Act as a dealer; clarifying the Act as regards which persons are protected by the Act; clarifying other Sections of the Act; repealing all laws in conflict; and declaring an emergency."

H. B. No. 906, A bill to be entitled "An Act authorizing both the County Judge and the County Attorney of Jim Hogg County to employ a secretary; fixing the minimum and maximum salary of such secretaries; repealing all laws in conflict; and declaring an emergency."

H. B. No. 1030, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as "Pearland Municipal Utility District of Brazoria County, Texas"; prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

H. B. No. 1034, A bill to be entitled "An Act amending Acts 1951, 52nd Leg., Chapter 491, known as the Texas Insurance Code, by adding thereto a new Article numbered 1.26; defining credit guaranty insurance; providing for the maintenance of reserves on

such insurance; and declaring an emergency."

H. B. No. 970, A bill to be entitled "An Act creating and establishing Bowie County Road District No. 1-A, in Bowie County, Texas, under Article III, Section 52 of the Constitution of Texas for the purpose of the construction, operation and maintenance of macadamized, graveled, or paved roads or turnpikes, or in aid thereof; describing the territory included therein; making the District a body corporate with authority to sue and be sued; authorizing the District to issue bonds and prescribing the procedure therefor; directing the levy, assessment and collection of a tax for the payment of principal of and interest on said bonds; providing for the custody and disbursement of the funds of the District; providing that the fact that a portion of the District hereby created is also included in another Road District having outstanding bonds shall not affect the District hereby created or its powers hereby granted; determining that all of the lands in said District shall be benefited by additional road improvements; providing that the provisions of this Act shall prevail in the event of conflict with any other general or special laws; providing that if any provision hereof is held to be invalid such holding shall not affect the other provisions hereof; and declaring an emergency."

H. B. No. 1037, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as "Oak Manor Municipal Utility District of Brazoria County, Texas; prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

H. B. No. 1021, A bill to be entitled "An Act placing responsibility for the regulation of wildlife resources of Aransas County in the Game and Fish Commission; and declaring an emergency."

H. B. No. 1038, A bill to be entitled "An Act amending Acts 1947, 50th

Legislature, page 486, Chapter 283, providing for the compensation of Grand Jury Bailiffs in counties having a population of not less than 600,000 inhabitants and not more than 800,000 inhabitants according to the last preceding or any future Federal Census, repealing all laws or parts of laws in conflict therewith to the extent of such conflict only; and declaring an emergency."

The House refused to adopt Conference Committee Report on S. B. No. 231 by non-record vote and asks for appointment of a new Conference Committee.

The House has concurred in Senate amendments to House Bill No. 161 by non-record vote.

The House has concurred in Senate amendments to House Bill No. 172 by non-record vote.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Report of Standing Committee

Senator Patman by unanimous consent submitted the following report:

Austin, Texas,
May 9, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to whom was referred H. B. No. 688, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

PATMAN, Chairman.

Senate Resolution 519

Senator Parkhouse by unanimous consent offered the following resolution:

Whereas, Henry Ford, founder of the Ford Motor Company, was born on July 30, 1863, and throughout this year the company which bears his name is celebrating the centennial of his birth; and

Whereas, By bringing to realization his dream of building "a motor car for the great multitudes," the storied Model T, Mr. Ford literally

put the world on wheels, freeing the farmer from his isolation, bringing closer together the most distant parts of the country, and giving unprecedented mobility to the American people; and

Whereas, As father of the moving assembly line, Mr. Ford pioneered in the mass production techniques, which have enabled the United States to become the most productive nation in the history of the world which have raised the living standards of the American people by making available to all a rich variety of useful and time-saving products; and

Whereas, By his introduction of the \$5-a-day wage and the 8-hour day, he enabled employees to become customers for the products that industry manufactures, thus creating mass markets and, more importantly, starting a peaceful social revolution that has resulted in a stature and standard of living for the American worker unequalled throughout the world; and

Whereas, The company which Mr. Ford founded continues to give employment to many thousands of people and to contribute substantially to the economy of this country and of the State of Texas through its plants located here; and

Whereas, It is the wish of the Legislature to commend the achievements of this great American; now, therefore, be it

Resolved, by the Senate of the State of Texas That the Senate of the 58th Legislature pay tribute to the memory of Henry Ford in recognition of his enduring contributions to the social, economic and cultural values of our time; and be it further

Resolved, That an enrolled copy of this resolution be sent to Mr. Henry Ford II, grandson of Mr. Ford and present Chairman of the Board of Directors of Ford Motor Company, as an expression of our congratulations and good wishes to the company on the centennial of its founder's birth.

The resolution was read and was adopted.

Reports of Standing Committees

Senator Calhoun by unanimous consent submitted the following reports:

Austin, Texas,
May 9, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, Your Committee on Transportation, to which was referred H. B. No. 760, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

CALHOUN, Chairman.

Austin, Texas,
May 9, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, Your Committee on Transportation, to which was referred H. B. No. 31, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass, and be printed.

CALHOUN, Chairman.

C. S. H. B. No. 31 was read the first time.

Senator Rogers by unanimous consent submitted the following reports:

Austin, Texas,
May 9, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, Your Committee on Constitutional Amendments, to which was referred H. J. R. No. 30, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the the Committee Substitute adopted in lieu thereof do pass and be printed.

ROGERS, Chairman.

C. S. H. J. R. No. 30 was read the first time.

Austin, Texas,
May 9, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, Your Committee on Constitutional Amendments, to which was referred S. J. R. No. 30, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the the Committee Substitute adopted in lieu

thereof do pass and be printed.

ROGERS, Chairman.

C. S. S. J. R. No. 30 was read the first time.

Austin, Texas,
May 9, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, Your Committee on Constitutional Amendments, to which was referred H. J. R. No. 4, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

ROGERS, Chairman.

C. S. H. J. R. No. 4 was read the first time.

Senator Parkhouse by unanimous consent submitted the following reports:

Austin, Texas,
May 9, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 494, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

PARKHOUSE, Chairman.

Austin, Texas,
May 6, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 274, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass, and be printed.

PARKHOUSE, Chairman.

C. S. H. B. No. 274 was read the first time.

Senator Kazen by unanimous consent submitted the following report:

Austin, Texas,
May 9, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Legislative, Congressional and Judicial Districts, to whom was referred H. B. No. 871, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

KAZEN, Chairman.

C. S. H. B. No. 871 was read the first time.

Senate Bill 511 on First Reading

By unanimous consent the following local bill was introduced, read first time and referred to the committee indicated:

By Senator Owen:

S. B. No. 511, A bill to be entitled "An Act authorizing the School Land Board to exchange certain State owned school land for privately owned land, and authorizing the Land Commissioner to issue patents to private individuals covering said State owned school land; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Leaves of Absence

Senator Ratliff was granted leave of absence for the remainder of the day on account of illness on motion of Senator Hardeman.

Senator Hazlewood was granted leave of absence for the remainder of the day on account of important business on motion of Senator Hardeman.

Senate Bill 512 on First Reading

Senator Patman moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—27

Aikin	Creighton
Bates	Crump
Blanchard	Dies
Calhoun	Hardeman
Cole	Harrington
Colson	Herring

Kazen	Richter
Kennard	Rogers
Krueger	Schwartz
Moffett	Spears
Moore	Strong
Owen	Watson
Patman	Word
Reagan	

Nays—1

Parkhouse

Absent

Hall

Absent—Excused

Ratliff

Hazlewood

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Patman:

S. B. No. 512, A bill to be entitled "An Act amending Section 7, Chapter 427, Acts of the 54th Legislature, Regular Session, 1955, to provide that commissioners courts may raise the salary of each county commissioner to the highest salary being paid certain officials in the county under specified circumstances; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Executive Session

On motion of Senator Herring the Senate agreed to hold an Executive Session at 2:10 o'clock p.m. today.

Accordingly, the President directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the Executive Session the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations of the Governor:

To be members of the Good Neighbor Commission of Texas: For six-year term to expire June 19, 1967: William D. Bonilla of Corpus Christi, Nueces County; Mrs. Kelly McAdams of Austin, Travis County.

To be member of the State Board of Barber Examiners: To fill the un-

expired term of Egbert H. Cefield, resigned, term to expire May 19, 1963: A. C. Roberts of Austin, Travis County.

To be a member of the Texas Board of Corrections: For a six-year term to expire February 2, 1969: Jack Vaughn of Dallas, Dallas County.

To be a member of the Texas Board of Corrections: For a six-year term to expire February 2, 1969: Reverend C. A. Holliday of Fort Worth, Tarrant County.

To be members of the Public Safety Commission: To fill the unexpired term of Tom Hickman, deceased, term to expire December 31, 1967: Dr. W. R. White of Waco, McLennan County. To fill the unexpired term of Dr. W. R. White, resigned, term to expire December 31, 1967: Jake Jacobsen of Austin, Travis County.

To be a member of the Texas Board of Corrections: For a six-year term to expire February 2, 1969: James Marvin Windham of Livingston, Polk County.

The Secretary of the Senate also informed the Journal Clerk that the following nominations of the Governor were rejected:

To be members of the State Board of Barber Examiners: For a six-year term to expire May 19, 1967: C. D. McKnight of San Antonio, Bexar County.

To be a member of the Board of Directors of the Lower Colorado River Authority, for a six-year term to expire January 1, 1969: R. D. Wright of Wharton, Wharton County.

In Legislative Session

The President called the Senate to order as In Legislative Session at 4:15 o'clock p.m. today.

Senate Bill 494 Ordered Not Printed

On motion of Senator Colson and by unanimous consent S. B. No. 494 was ordered not printed.

Conference Committee Report on Senate Bill 15

Senator Reagan submitted the following Conference Committee Report on S. B. No. 15:

Austin, Texas,
May 8, 1963.

Hon. Preston Smith, President of the Senate.

Hon. Byron Tunnell, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on Senate Bill No. 15, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

REAGAN
MOORE
PARKHOUSE
SPEARS
COLE

On the part of the Senate.

GARRISON
HEATLY
COOK
JARVIS
WOODS

On the part of the House.

S. B. No. 15,

A BILL TO BE ENTITLED

An Act to classify loans and lenders and provide for their regulation; stating legislative intent; providing a short title; defining terms; creating the office of Regulatory Loan Commissioner and providing for his appointment, qualifications, compensation and staff, and prescribing his powers and duties; prohibiting any person from engaging in the business of making loans with cash advances of One Thousand, Five Hundred Dollars (\$1,500) or less under certain conditions without first obtaining a license, and providing a penalty and loss of all principal and interest for violation thereof; providing for exemptions; prescribing fees and procedures for issuance of licenses, and grounds for denial thereof; prescribing minimum assets of licensees; requiring a license for each place of business and providing for changes of location; limiting licenses to resident citizens of the state and to corporations the majority of whose stock is owned by resident citizens, with certain exceptions; providing grounds and procedures for revocation and suspension of licenses and for surren-

der of licenses and for reinstatement; providing for examination of licensees' and others' records; granting the power of subpoena and other process on investigations and hearings by the commissioner and providing for cease and desist orders and injunctions; requiring licensees to keep books and records, available to the commissioner, and requiring annual reports; authorizing the commissioner to make regulations and prescribing the procedure therefor; prohibiting false or deceptive advertising; allowing other businesses to be conducted in the same office except under certain conditions; prohibiting the conduct of loan business under any name or at any place other than stated in the license; prescribing maximum rates of interest and other charges, according to the size of the loan, on loans of One Thousand, Five Hundred Dollars (\$1,500) or less, and regulating loan practices and providing penalties for the making of unauthorized charges as well as loss of all principal, interest or other recompense; permitting insurance to be required by the licensee in connection with loans; defining the types and amounts of insurance and otherwise regulating the use of insurance in connection with loans; prescribing the duties of the licensee to the borrower; prohibiting liens upon real estate as security for loans made under this Act, with certain exceptions; prohibiting the confession of judgments; requiring certain disclosures to borrowers and prohibiting incomplete instruments; limiting the period of loans made under this Act; prohibiting the assignment of wages as security for loans made under this Act; prescribing rights and procedures in hearings before the commissioner and procedures for appeal of his orders, rulings and decisions; providing that pre-existing contracts shall not be impaired or affected; amending Chapter 144, Acts of the 48th Legislature, Regular Session, 1943 (compiled as Article 4646b, Vernon's Annotated Civil Statutes of Texas); and Articles 5069, 5071 and 5073 of the Revised Civil Statutes of Texas, 1925; providing that Chapter 144, Acts of the 48th Legislature, Regular Session, 1943 (compiled as Ar-

ticle 4646b, Vernon's Annotated Civil Statutes of Texas), Articles 5069, 5071 and 5073 of the Revised Civil Statutes of Texas, 1925, and Chapter 165, Acts of the 42nd Legislature, Regular Session, 1931, as amended (compiled as Article 1524a, Vernon's Annotated Civil Statutes of Texas), where inconsistent with this Act shall not apply to licensees under this Act; repealing Chapter 472, Acts of the 52nd Legislature, Regular Session, 1951 (compiled as Article 1524a-1, Vernon's Annotated Civil Statutes of Texas), Chapter 17, Acts of the 40th Legislature, First Called Session, 1927, as amended (compiled as Article 6165a, Vernon's Annotated Civil Statutes of Texas and Article 1129a, Vernon's Annotated Penal Code of Texas), and Subsections (5) and (6) of Article 19.01, Chapter 19, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925 and all other laws or parts of laws in conflict herewith to the extent of such conflict; carrying into effect the amendment to Article XVI, Section 11 of the Constitution, adopted November 8, 1960; providing for severability; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Declaration of Legislative Intent.

The Legislature finds as facts and determines:

(a) The Legislature should, in obedience to Article XVI, Section 11, of the Constitution of Texas, as amended in 1960, classify loans and lenders, license and regulate lenders, define interest and fix a maximum rate of interest pertaining to licensees under this Act.

(b) Consumer loans make an essential and useful contribution to our society in that they provide the only means by which many individuals and families can secure credit to improve their standards of living and to meet unforeseen financial emergencies.

(c) There exists among citizens of this state a widespread demand for such loans, the scope and intensity of which has been increased progressively by many social and economic forces.

(d) Due to the lack of adequate reg-

ulation, many unethical and unscrupulous lenders are engaged in the making of loans of this type and are subjecting borrowers to abuses.

(e) These facts characterize and distinguish loans with cash advances of One Thousand Five Hundred Dollars (\$1500) or less, and legislation to control this class of loans is necessary to protect the public welfare.

(f) It is the intent of the Legislature in enacting this statute to bring under public supervision those engaged in the business of making such loans, to eliminate practices that facilitate abuse of borrowers; to establish a system of regulation for the purpose of insuring honest and efficient loan service and of stimulating competition in such lending; to provide for interest that is fair, just and equitable, and to provide the administrative machinery necessary for effective enforcement.

Sec. 2. Short Title.

This Act may be cited as the "Texas Regulatory Loan Act."

Sec. 3. Definitions.

The following words and terms when used in this Act shall have the following meanings, unless the context clearly requires a different meaning. The meanings applied to the singular forms shall also apply to the plural.

(a) "Person" means an individual, copartnership, association, trust, corporation and any other legal entity.

(b) "License" means the authority to do business under this Act.

(c) "Licensee" means any person to whom one or more licenses have been issued.

(d) "Commissioner" means the Regulatory Loan Commissioner of the State of Texas.

(e) "Finance Commission" means the Finance Commission of Texas created by the Texas Banking Code of 1943.

(f) "Cash advance" means the amount of cash or its equivalent the borrower actually receives and shall also include that paid out at his direction or request, on his behalf or his benefit.

(g) "Interest" shall be that compensation allowed by this Act, for the use or forbearance or detention of the cash advance. The maximum rate of interest permitted by this Act is that amount authorized in Section 17. Any gain or advantage arising from

the sale or providing of insurance as authorized in Section 18 shall not be interest.

(h) "Amount of loan" means the cash advance plus the interest, authorized by Section 17.

(i) "Month" means that period of time from one date in a calendar month to the corresponding date in the following calendar month, but if there is no such corresponding date then the last day of such following calendar month and when computations are made for a fraction of a month a day shall be one-thirtieth (1/30) of a month.

Sec. 4. Office of Regulatory Loan Commissioner Created.

(a) There is hereby created the Office of Regulatory Loan Commissioner of the State of Texas. The commissioner shall be appointed by the Finance Commission and shall serve at the pleasure of the Finance Commission. The commissioner shall be an employee of the Finance Commission, subject to its orders and directions. The commissioner is authorized to appoint and remove examiners and employees, and to prescribe the duties of each.

(b) The commissioner shall, from time to time, as directed by the Finance Commission, submit to the Finance Commission a full and complete report of the receipts and expenditures of this office, and the Finance Commission may, from time to time, examine the financial records of the Regulatory Loan Commissioner, or cause them to be examined. In addition, the office of Regulatory Loan Commissioner shall be audited from time to time by the state auditor in the same manner as state departments, and the actual costs of such audit shall be paid to the state auditor from the funds of the Regulatory Loan Commissioner. The Finance Commission shall as of December 31, 1963, and annually thereafter report to the Governor of the State of Texas the receipts and disbursements of the office of the Regulatory Loan Commissioner for each calendar year.

(c) The commissioner shall appoint a deputy commissioner, such examiners and assistant examiners as may be required to examine all licensees under this Act annually and such employees as may be necessary to maintain and operate the office of the Regulatory Loan Commissioner and to

enforce the laws of this state relative to the licensees under this Act.

(d) The commissioner, the deputy commissioner, the examiners and assistant examiners shall, before entering upon the duties of office, take an oath of office and make a fidelity bond in the sum of Ten Thousand Dollars (\$10,000) payable to the Finance Commission and its successors in office, in individual, schedule or blanket form, executed by a surety appearing upon the list of approved sureties acceptable to the Finance Commission. The bond shall be in form approved by the Finance Commission.

(e) The commissioner shall supervise and shall regulate as provided in this Act all licensees and shall enforce the provisions of this Act in person through the deputy commissioner or any examiner or assistant examiner. The commissioner, the deputy commissioner, each examiner and assistant examiner and each employee under this Act shall not be personally liable for damages occasioned by his official act or omissions except when such acts or omissions are corrupt or malicious. The Attorney General shall defend any action brought against any of the above-mentioned officers or employees by reason of his official act or omission whether or not at the time of the institution of the act the defendant has terminated his services with the office of the Regulatory Loan Commissioner.

(f) The commissioner shall report his findings and recommendations relating to the administration and enforcement of the provisions of this Act to each Regular Session of the Legislature.

Sec. 5. Scope.

(a) On and after ninety (90) days from the effective date of this Act, no person shall, without first obtaining a license from the commissioner engage in the business of making loans with cash advances of One Thousand Five Hundred Dollars (\$1,500) or less, and contract for, charge or received, directly or indirectly, on or in connection with any such loan, any charges, whether for interest compensation, consideration or expense or other thing or otherwise, which in the aggregate are greater than such person would be permitted by law to charge if he were not a licensee under this Act.

During such ninety (90) day period, any person who has applied for such license, or filed written notice of intention to apply for such license with the commissioner, and who has not been denied, shall be subject to all the provisions of this Act and may contract for, charge and receive interest as if he were a licensee.

(b) The provisions of Section 5 (a) shall apply to any person who seeks to evade its application by any device, subterfuge or pretense whatsoever.

(c) Any person and the several members, officers, directors, agents and employees thereof, who shall willfully violate or participate in the violation of Section 5 (a) shall be guilty of a misdemeanor and upon conviction thereof, shall be punishable by a fine of not less than Five Hundred Dollars (\$500) and not more than One Thousand Dollars (\$1,000) or by confinement in the county jail for not more than six (6) months, or both. Any loan contract in the making or collection of which any act shall have been done which violates Section 5 (a) shall be voided and the lender shall have no right to collect, receive or retain any principal, interest or charges.

Sec. 6. Exemptions.

(a) The provisions of this Act shall not apply to any of the following persons and the following transactions; nor shall any of such persons be eligible to receive a license under this Act.

(1) Any person doing business under the authority of and as permitted by the Texas Banking Code of 1943, as amended.

(2) Any person doing business under the authority of and as permitted by Articles 852 through 881, Revised Civil Statutes of Texas, 1925, and Chapter 61, Acts of the 41st Legislature, Second Called Session, 1929, as amended, relating to Building and Loan Associations.

(3) Any person doing business under the authority of and as permitted by Articles 2461 through 2484, Revised Civil Statutes of Texas, 1925, as amended, and Section 5 of House Bill No. 47, Acts of the 46th Legislature, Regular Session, 1939, and Chapter 173, Acts of the 51st Legislature, Regular Session, 1949, relating to Credit Unions.

(4) Any person doing business under the authority of and as permitted

by Articles 1512 through 1519, Revised Civil Statutes of Texas, 1925, relating to Agricultural Finance Corporations.

(5) Any person doing business under the authority of and as permitted by Articles 2485 through 2499, Revised Civil Statutes of Texas, 1925, as amended, relating to Agricultural and Livestock Pools.

(6) Any person doing business under the authority of and as permitted by Articles 2500 through 2507, Revised Civil Statutes of Texas, 1925, as amended, relating to Mutual Loan Corporations.

(7) Any person doing business under the authority of and as permitted by Articles 2508 through 2513, Revised Civil Statutes of Texas, 1925, relating to Cooperative Credit Associations.

(8) Any person doing business under the authority of and as permitted by Articles 2514 through 2524, Revised Civil Statutes of Texas, 1925, relating to Farmers Cooperative Societies.

(9) Any person doing business under the authority of and as permitted by Articles 5578 through 5611, Revised Civil Statutes of Texas, 1925, relating to Markets and Warehouse Corporations.

(10) Any person doing business as an insurance company under the authority of and as permitted by the Insurance Code of Texas, as amended.

(11) Any person doing business under the authority of and as permitted by any law of the United States relating to National Banks, Federal Credit Unions or other Federal Lending Agencies or Institutions.

(12) Any person doing business as a pawnbroker under the authority of and as permitted by Articles 6146 through 6161, Revised Civil Statutes of Texas, 1925, when such person does not require the personal liability of the borrower in a loan transaction.

(13) Any person doing business under the authority of and as permitted by Article 1513, Revised Civil Statutes of Texas, 1925, and Chapter 388, Acts of the 55th Legislature, Regular Session, 1957, relating to Trust Companies.

(14) Any person doing business under the authority of and as permitted by Subdivision 49, Article 1302, Revised Civil Statutes of Texas, 1925, as amended, or Section 1, Chapter 275, Acts 40th Legislature, Regular

Session, 1927, as amended, who is regulated by the Banking Commissioner of Texas under the provisions of Chapter 165, Acts 42nd Legislature, Regular Session, 1931, as amended, and whose loan business is confined solely and entirely to loans to employees of the State of Texas and those persons holding contracts with the State of Texas.

(15) Any person acting as Trustee of a Trust, if the Trust (1) is for an employees savings plan, and (2) provides that loans may be made to participants in the Trust.

(b) The provisions of this Act shall not apply to any bona fide cash or credit sale transaction or any contract or obligation arising from or acquired as a result thereof.

Sec. 7. Application for License: Fees; Appointment.

(a) Application for a license shall be under oath, shall give the approximate location from which the business is to be conducted, and shall contain such relevant information as the commissioner may require including identification of the principal parties in interest, to provide the basis for the findings necessary under Section 8. When making application, for one or more licenses, the applicant shall pay Two Hundred Dollars (\$200) to the commissioner as an investigation fee and One Hundred Dollars (\$100) for each license as the annual fee provided in Section 9(b) of this Act for the current calendar year, provided if a license is granted after June 30th in any year such fee shall be Fifty Dollars (\$50) for that year.

(b) Every licensee shall maintain on file with the commissioner a written appointment of a resident of this state as his agent for service of all judicial or other process or legal notice, unless the licensee has appointed an agent under another statute of this state. In case of non-compliance with Section 7(b), such service may be made on the commissioner.

(c) Every applicant shall, also, at the time of filing any such application, file with the commissioner a bond satisfactory to him and in an amount not less than Five Thousand Dollars (\$5,000) for the first license and One Thousand Dollars (\$1,000) for each additional license with a surety company qualified to do business in this state as surety, whose total liability in the aggregate shall not

exceed the amount of such bond so fixed. The said bond shall run to the state for the use of the state and of any person or persons who may have cause of action against the obligor of said bond under the provisions of this Act. Such bond shall be conditioned that said obligor will faithfully conform to and abide by the provisions of this Act and of all rules and regulations lawfully made by the commissioner hereunder, and will pay to the state and to any such person or persons any and all amounts of money that may become due or owing to the state or to such person or persons from said obligor under and by virtue of the provisions of this Act during the calendar year for which said bond is given.

(d) No person who is not a citizen of the State of Texas shall be eligible to receive a license under this Act. No license shall be issued to a corporation unless the same be incorporated under the laws of this state, and at least fifty-one per cent (51%) of the stock of the corporation is owned at all times by citizens of the State of Texas and who possess the qualifications required of other applicants for license; provided, however, the restrictions contained in the preceding clause shall not apply to domestic or foreign corporations which are doing business in this state under charter or license prior to January 8, 1963, but any such corporation which does not meet the requirements of such restrictions shall not be issued a license for any place of business other than those being operated by it on January 8, 1963. Partnerships, firms, and associations applying for licenses shall be composed wholly of citizens possessing the qualifications above enumerated. Any person holding a license under this Act who shall violate any provisions hereof, or any rule or regulation promulgated hereunder, shall be subject to forfeiture of its license and if a corporation, its charter shall be subject to forfeiture of license, and it shall be the duty of the Attorney General, when any such violation is called to his attention, to file suit for such forfeiture of charter and cancellation of the license in a District Court in Travis County, Texas.

Sec. 8. Issuance or Denial of License.

(a) On filing of such application, bond, and payment of the required

fees, the commissioner shall investigate the facts and if he shall find the financial responsibility, experience, character and general fitness of the applicant are such as to command the confidence of the public and to warrant belief the business will be operated lawfully and fairly, within the purposes of this Act, and the applicant has available for the operation of such business net assets of at least Fifteen Thousand Dollars (\$15,000), he shall grant such application and issue to the applicant a license which shall be his license and authority to make loans under the provisions of this Act.

(b) If the commissioner shall not so find, he shall notify the applicant, who shall, on request within thirty (30) days, be entitled to a hearing on such application within sixty (60) days after the date of said request. The investigation fee shall be retained by the commissioner, but the annual fee shall be returned to the applicant in the event of denial.

(c) The commissioner shall grant or deny each application for a license within thirty (30) days from its filing with the required fees, or, from the hearing thereon, if any, unless the period is extended by written agreement between the applicant and the commissioner.

Sec. 9. License; Annual Fee; Minimum Assets.

(a) Each license shall state the address of the office from which the business is to be conducted and the name of the licensee. The license shall be displayed at the place of business named in the license. The license shall not be transferable or assignable except upon approval by the commissioner.

(b) Each license shall remain in full force and effect until relinquished, suspended, revoked, or has expired. Every licensee shall, on or before each December 10th, pay the commissioner One Hundred Dollars (\$100) for each license held by him, as the annual fee for the succeeding calendar year. If the annual fee remains unpaid fifteen (15) days after written notice of delinquency has been given to the licensee by the commissioner, the license shall thereupon expire but not before December 31st of any year for which an annual fee has been paid.

(c) Every licensee shall maintain net assets of at least Fifteen Thous-

and Dollars (\$15,000), either used or readily available for use, in the conduct of the business of each licensed office.

Sec. 10. Offices; Removal.

(a) A separate license shall be required for each office operated under this Act. The commissioner may issue more than one license to any one person upon compliance with this Act as to each license. Nothing contained herein, however, shall be construed to require a license for any place of business devoted to accounting or other record keeping and where loans under this Act are not made.

(b) When a licensee wishes to move his office to another location he shall give thirty (30) days written notice to the commissioner who shall amend the license accordingly. In such event, the licensee shall also give fifteen (15) days written notice of his intention to remove his office to each of the borrowers having a loan outstanding at such office.

(c) The commissioner may issue more than one (1) license but not more than sixty (60) licenses to any one (1) person on compliance with this Act as to each license. And it shall be unlawful for any person, after the effective date of this Act, directly or indirectly, or through subsidiaries or holding companies, to hold or have an interest in more than sixty (60) licenses, the business thereof, or any interest in such license. Any person holding a license under this Act which shall violate any provisions hereof shall be subject to forfeiture of its license, and if a corporation, its charter shall be subject to forfeiture, and it shall be the duty of the Attorney General, when any such violation is called to his attention, to file suit for such forfeiture of charter and cancellation of the license in a District Court in Travis County, Texas.

Sec. 11. Revocation; Suspension; Surrender; Reinstatement of Licenses:

(a) The commissioner may, after notice and hearing, suspend or revoke any license if he finds that:

(1) The licensee has failed to pay the annual license fee imposed by this Act or an examination fee, investigation fee or other fee or charge imposed by the commissioner under the authority of this Act; or that

(2) The licensee, either knowingly or without the exercise of due care to

prevent the same, has violated any provision of this Act or any regulation or order lawfully made pursuant to and within the authority of this Act; or that

(3) Any fact or condition exists which, if it had existed or had been known to exist at the time of the original application for such license, clearly would have justified the commissioner in refusing to issue such license.

The hearing shall be held upon twenty (20) days notice in writing setting forth the time and place thereof and a concise statement of the facts alleged to sustain the suspension or revocation. The hearing shall be full, fair and public. Such suspension or revocation and its effective date shall be set forth in a written order accompanied by findings of fact and a copy thereof shall be forthwith delivered to the licensee. Such order, findings and the evidence considered by the commissioner shall be filed with the public records of the commission.

(b) Any licensee may surrender any license by delivering it to the commissioner with written notice of its surrender, but such surrender shall not affect his civil or criminal liability for acts committed prior thereto.

(c) No revocation, suspension, or surrender of any license shall impair or affect the obligation of any pre-existing lawful contract between the licensee and any borrower.

(d) The commissioner may reinstate suspended licenses or issue new licenses to a person whose license or licenses have been revoked if no fact or condition then exists which clearly would have justified the commissioner in refusing originally to issue such license under this Act.

Sec. 12. Examination of Licensees; Access to Records; Investigations; Injunctions.

(a) At least once each year and at such other times as the commissioner shall deem necessary, the commissioner, or his duly authorized representative shall make an examination of the place of business of each licensee and shall inquire into and examine the loans, transactions, books, accounts, papers, correspondence, and records of such licensee insofar as they pertain to the business regulated by this Act. In the course of such examination, the commission-

er or his duly authorized representative shall have free access to the office, places of business, files, safes and vaults of such licensees, and shall have the right to make copies of such books, accounts, papers, correspondence and records. The commissioner or his duly authorized representative may, during the course of such examination, administer oaths and examine any person under oath upon any subject pertinent to any matter about which the commissioner is authorized or required by this Act to consider, investigate, or secure information. Any licensee who shall fail or refuse to let the commissioner or his duly authorized representative examine or make copies of such books, or other relevant documents shall thereby be deemed in violation of this Act and such failure or refusal shall constitute grounds for the suspension or revocation of such license. The information obtained in the course of such examination shall be confidential. Each licensee shall pay to the commissioner the cost of the examination, but not to exceed Fifty Dollars (\$50) per day per examiner and the total cost of the examinations assessed and charged a licensee in any one calendar year shall not exceed Two Hundred Fifty Dollars (\$250) for each licensed office.

(b) For the purpose of discovering violations of this Act or of securing information required hereunder, the commissioner or his duly authorized representatives may investigate the books, accounts, papers, correspondence and records of any licensee or other person who the commissioner has reasonable cause to believe is violating any provision of this Act whether or not such person shall claim to be within the authority or scope of this Act. For the purposes of this subsection any person who advertises for, solicits or holds himself out as willing to make loans with cash advances in the amount or the value of One Thousand Five Hundred Dollars (\$1500) or less, shall be presumed to be engaged in the business described in Section 5 of this Act.

(c) In the course of any examination or investigation or hearing looking to the enforcement or administration of any provision of this Act, the commissioner may require by subpoena or summons, issued by the commissioner addressed to any peace officer within this state, the attendance

and testimony of witnesses, and the production of books, accounts, papers, correspondence, or records (excepting such as are absolutely necessary for the continued course of business) which such books, accounts, papers, correspondence, or records the commissioner shall have the right to examine, or cause to be examined, at the office, or place of business, and to require copies of such portions thereof as may be deemed necessary touching the matter in question, which copies shall be verified by affidavit of such concern or an officer of such concern, and shall, when certified by the commissioner, be admissible in evidence in any investigation or hearing under this Act, or in an appeal to the District Court as provided by this Act and for this purpose the commissioner may sign subpoenas, administer oaths and affirmations, examine witnesses and receive evidence. In case of disobedience of any subpoena, or of the contumacy of any witness appearing before the commissioner, the commissioner may invoke the aid of the district court within whose jurisdiction any witness may be found, and such court may thereupon issue an order requiring the person subpoenaed to obey the subpoena or give evidence, or produce books, accounts, correspondence, records and other documents touching the matter in question. Upon the filing of such application to enforce such subpoena, which application shall be treated in the same manner as a motion in a civil suit pending in said court, the court shall forthwith set such application down for hearing and shall cause a notice of the filing of such application and of such hearing to be served upon the party to whom such subpoena is directed. Such notice may be served by any peace officer in the State of Texas. Such application shall take precedence over all other matters of a different nature pending before such court. Any failure to obey such order of the court may be punished by such court as contempt thereof.

(d) In the course of any examination, investigation or hearing described in subsection (c) of this section, the commissioner may appoint a hearing officer to conduct such examination, investigation or hearing, and such hearing officer shall be vested for the purpose of such examination, investigation or hearing with the

power and authority as the commissioner would have if he were personally conducting such examination, investigation or hearing, provided that such hearing officer shall not be authorized to make any order upon the subject matter of such examination, investigation or hearing; and provided further, that the record of any examination, investigation or hearing conducted before the hearing officer may be considered by the commissioner in the same manner and to the same extent as evidence that is adduced before him personally in any examination, investigation or hearing.

(e) The fee for serving the subpoena shall be the same as that paid a sheriff or constable for similar services. Each witness required to attend before the commissioner shall receive for each day's attendance, the sum of Two Dollars (\$2) and shall receive in addition the sum of Ten Cents (10¢) for each mile traveled by such witness by the usual route going to or returning from the place where his presence is required, provided that such fees shall not become payable until the witness has actually appeared at such hearing. All disbursements made in the payment of such fees shall be included in and paid in the same manner as is provided for other expenses incident to the administration and enforcement of this Act.

(f) The fees, expenses and costs incurred at or in connection with any hearing may be imposed by the commissioner upon any party in interest to the record or may be divided between any and all parties in interest to the record in such proportion as the commissioner may determine.

(g) Whenever the commissioner has reasonable cause to believe that any licensee or any other person is violating any provision of this Act, he may in addition to all actions provided for in this Act and without prejudice thereto enter an order requiring such person to desist or to refrain from such violation; and an action may be brought in any District Court in this state having jurisdiction and venue, on the relation of the Attorney General at the request of the commissioner, to enjoin such person from engaging in or continuing such violation or from doing any act or acts in furtherance thereof. In any such action, an order or judgment may be entered awarding such

preliminary or final injunction as may be deemed proper. In addition to all other means provided by law for the enforcement of a restraining order or injunction, the court in which such action is brought shall have power and jurisdiction to impound, and to appoint a receiver for the property and business of the defendant, including books, papers, documents and records pertaining thereto or so much thereof as the court may deem reasonably necessary to prevent violations of this Act through or by means of the use of said property and business. Such receiver, when appointed and qualified, shall have such powers and duties as to custody, collection administration, winding up and liquidation of such property and business as shall from time to time be conferred upon him by the court. This provision shall be cumulative of Articles 2293 through 2319, inclusive, Revised Civil Statutes of Texas, 1925, as amended.

Sec. 13. Records; Annual Reports.

(a) Each licensee shall keep in this state such books and records relating to loans made under this Act as are necessary to enable the commissioner to determine whether the licensee is complying with this Act. Such books and records shall be consistent with accepted accounting practices.

Each licensee shall preserve such books and records in this state for at least four (4) years after making the final entry of any loan recorded therein. Each licensee's system of records shall be accepted if it discloses such information as may be reasonably required under Section 13(a) of this Act. All obligations signed by borrowers shall be kept at an office in this state designated by the licensee, except when hypothecated under an agreement by which the creditor gives the commissioner access thereto.

(b) Each licensee shall annually on or before the first day of April file a report with the commissioner giving such relevant information as the commissioner may reasonably require concerning the business and operations during the preceding calendar year for each licensed place of business conducted by such licensee within the state. Such report shall be made under oath and shall be in the form prescribed by the commissioner, who shall make and publish annually a consolidated analysis and recapitula-

tion of such reports, but the individual reports shall be held confidential.

Sec. 14. Regulations; Copies, Public Record.

(a) The commissioner may make regulations necessary for the enforcement of this Act and consistent with all of its provisions. Each such regulation shall include reference only to the section or subsection to which it applies. Before making a regulation, the commissioner shall give every licensee at least twenty (20) days written notice of a public hearing, stating the time and place thereof and the terms of substance of the proposed regulation. At the hearing any licensee may be heard and may introduce evidence, data or arguments or place the same on file. After consideration of all relevant matter presented, the commissioner shall promulgate every regulation in written form stating its effective date and the date of promulgation. Each regulation shall be entered in a permanent book which shall be a public record and be kept in the commissioner's office. A copy of every regulation shall be mailed to each licensee and no regulation shall become effective until the expiration of at least twenty (20) days after such mailing.

(b) On application of any person and payment of the costs therefor, the commissioner shall furnish, under his seal and signed by him or his deputy, a certificate of good standing, a certified copy of any license, regulation or order.

(c) Any transcript of any hearing held by the commissioner or findings by the commissioner under this Act shall be a public record and open to inspection at all reasonable times.

Sec. 15. Advertising.

No licensee shall advertise or cause or permit to be advertised, in any manner whatsoever, any false, misleading or deceptive statement or representation with regard to the rates, terms or conditions for loans. If rates are stated in advertising, the commissioner may require them to be stated fully and clearly.

No licensee under this Act shall use any advertising stating that said licensee is licensed by, or regulated by, the State of Texas, or any agency thereof; nor shall such licensee use words of similar import for advertising purposes.

Sec. 16. More Than One Business in Single Office.

(a) A licensee may conduct the business of making loans under this Act, within any offices, suite, room or place of business in which any other business is solicited or engaged in, or in association or conjunction with any other business, unless the commissioner shall find, after a hearing, that the conduct by the licensee of such other business in the particular licensed office has concealed evasions of this Act, and shall order such licensee, in writing, to desist from such conduct in such office.

(b) No licensee shall conduct the business of making loans provided for by this Act under any name, or at any place of business within this state, other than that stated in the license.

(c) Nothing in this Act shall be construed to limit the loans of any licensee to residents of the community in which the licensed office is situated or to prohibit the licensee from making loans by mail.

Sec. 17. Maximum Rates of Interest.

(a) Every licensee may contract for and receive on any loan made under this Act repayable in consecutive monthly installments, substantially equal in amount, an add-on interest charge computed on the cash advance for the full term of the loan contract in accordance with the following schedule:

(1) Nineteen Dollars (\$19) per One Hundred Dollars (\$100) per annum on that part of the cash advance not in excess of One Hundred Dollars (\$100), Sixteen Dollars (\$16) per One Hundred Dollars (\$100) per annum on that part of the cash advance in excess of One Hundred Dollars (\$100) but not in excess of Two Hundred Dollars (\$200), Thirteen Dollars (\$13) per One Hundred Dollars (\$100) per annum on that part of the cash advance in excess of Two Hundred Dollars (\$200) but not in excess of Three Hundred Dollars (\$300), Eleven Dollars (\$11) per One Hundred Dollars (\$100) per annum on that part of the cash advance in excess of Three Hundred Dollars (\$300) but not in excess of Five Hundred Dollars (\$500), Nine Dollars (\$9) per One Hundred Dollars (\$100) on that part of the cash advance in excess of

Five Hundred Dollars (\$500) but not in excess of One Thousand Dollars (\$1,000) and Seven Dollars (\$7) per One Hundred Dollars (\$100) on that part of the cash advance in excess of One Thousand Dollars (\$1,000) but not in excess of Fifteen Hundred Dollars (\$1500).

(2) Interest authorized in Section 17(a)(1) shall be computed at the time the loan is made for the full term of the loan contract notwithstanding the requirement of the loan contract for payment in substantially equal and consecutive monthly installments and shall be computed on the basis of a full month for any fractional period in excess of fifteen (15) days. Interest authorized by Section 17(a)(1) shall be added to the cash advance and said sum shall be the amount of the loan.

(3) Notwithstanding the requirement of consecutive monthly installments, substantially equal in amount, loans may be made under loan contracts which require repayment in irregular or unequal installment payments and the interest thereon may be in an amount computed in advance on a basis which provides the same interest yield in relation to the balances of the cash advance schedules to be outstanding from time to time under the loan contract, as is permitted under Section 17 (a) (1), having due regard for the schedule of payments.

(4) Notwithstanding the requirement of consecutive monthly installments, substantially equal in amount, a licensee and borrower may agree the first installment date may exceed one month by not more than fifteen (15) days and the amount of such installment may be increased by one-thirtieth ($1/30$) of the amount of interest which would be applicable to a first installment period of one month for each extra day, but such interest shall be excluded in computing the additional interest for deferment and shall not be subject to refund.

(5) Additional interest for default, if contracted for, may equal but shall not exceed the Three Cents (3¢) for each One Dollar (\$1) of any scheduled installment when any portion of such installment continues unpaid for five (5) days or more following the date such payment is due, including Sundays and holidays. Interest for such default shall not be collected more than once on the same installment. If the payment date of each

wholly unpaid installment, on which no interest for default has been collected is deferred as of an installment date for one or more full months and the maturity of the contract is extended for a corresponding period of time, the licensee may charge and collect additional interest for such deferment. The interest for such deferment may be equal to the difference between the refund which would be required for prepayment in full as of the date of deferment and the refund which would be required for prepayment in full as one month prior to such date multiplied by the number of months in the deferment defined below. The portion of the interest contracted for under Section 17 (a) (1) applicable to each deferred balance and installment period following a deferment period shall remain the same as that applicable to such balance and period under the original contract of loan. If a loan is prepaid in full during the deferment period defined below, the borrower shall receive, in addition to the refund required under Section 17 (a) (6), a refund of that portion of the interest for deferment applicable to any unexpired full month or months of such period. The deferment period is that period beginning with the day following the due date of the scheduled installment preceding the first installment being deferred, and during which no payment is made or required by reason of such deferment. The interest or default or deferment may be collected at the time of default or deferment, or at any time thereafter.

(6) When any loan contract is prepaid in full by cash, a new loan, renewal, or otherwise, after the first installment due date but before the final installment due date, the licensee shall refund or credit the borrower with an amount which shall be as great a proportion of the total interest contracted for under Section 17 (a) (1) as the sum of the periodic balances scheduled to follow the installment date after the date of prepayment in full bears to the sum of all the periodic time balances under the schedule of payments set out in the loan contract. If such prepayment in full occurs before the first installment due date the licensee shall retain for each elapsed day from date the loan was made, one thirtieth ($1/30$) of the portion of the interest which could be retained if

the first installment period were one (1) month and the loan were prepaid in full on the first installment period due date and the interest contracted for under Section 17 (a) (1) in excess of such amounts shall be refunded or credited to the borrower. No refund shall be required for partial prepayments and no refund of less than One Dollar (\$1) need be made.

(7) No licensee shall induce or permit any person, or husband and wife, to be obligated, directly or indirectly, under more than one (1) loan contract under this Act at the same time for the purpose, or with the effect, of obtaining a higher authorized charge than would otherwise be permitted by this Act; but such limitation shall not apply to the acquisition by purchase of bona fide obligations of the borrower incurred for goods or services, and provided further, if a licensee purchases all or substantially all the loan contracts of another licensee hereunder and has at the time of purchase loan contracts with one (1) or more of the borrowers whose loans are purchases, the purchaser shall be entitled to collect principal and authorized charges thereon according to the terms of each loan contract.

(8) In addition to the authorized charges provided in this Act, no further or other charge or amount whatsoever shall be directly, or indirectly, charged, contracted for, or received. This includes (but is not limited by) all charges such as fees, compensation, bonuses, commissions, brokerage, discounts, expenses and every other charge of any nature whatsoever, whether of the types listed herein or not. Without limitation of the foregoing, such charges may be any form of costs or compensation whether contracted for or not, received by the licensee, or any other person, in connection with (1) the investigating, arranging, negotiation, procuring, guaranteeing, making, servicing, collecting or enforcing of a loan; or (2) for the forbearance of money, credit, goods or things in action, or (3) for any other service or services performed or offered. However, the prohibition set out herein shall not apply to amounts actually incurred by a licensee as court costs; attorney fees assessed by a court; lawful fees for filing, record, or releasing to any public office any instrument securing a loan; the reason-

able cost actually expended for repossessing, storing, or selling any security; or fees for noting a lien on or transferring a certificate of title to any motor vehicle offered as security for a loan made under this Act, or premiums or identifiable charges received in connection with the sale of insurance authorized under Section 18 of this Act.

(9) If any amount in excess of the authorized charges permitted by this Act is charged, contracted for, or received, except as the result of an accidental and bona fide error, the contract of loan shall be void as against public policy and the licensee shall have no right to collect or receive any principal authorized charges or recompense whatsoever, and the licensee and the several members, officers, directors, agents and employees thereof who shall have violated or participated in such violation shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than One Thousand Dollars (\$1,000) and not less than One Hundred Dollars (\$100) or by confinement in the county jail for not more than six (6) months, or by both such fine and confinement.

(10) If any amount in excess of the authorized charges permitted by this Act is charged, contracted for, or received by the licensee and the several members, officers, directors, agents, and employees thereof who shall have violated or participated in such violation shall be jointly and severally liable for reasonable attorneys fees incurred by the borrower in enforcing any of the provisions of this Act.

(b) On loans of One Hundred Dollars (\$100) or less, a licensee may charge, in lieu of charges specified in Section 17 (a) (1) of this Act, the following amounts:

(1) On any amount up to and including Nineteen Dollars (\$19) a charge may be added at the ratio of One Dollar (\$1) for each Five Dollars (\$5) of cash or credit advanced to the borrower and such advance of cash or credit shall be for a period of one (1) month only.

(2) On any cash advance in an amount in excess of Nineteen Dollars (\$19) up to and including the amount of Thirty-five Dollars (\$35) there shall be allowed an acquisition charge for making the advance not in excess of one-tenth (1/10th) of

the amount of the cash advance. In addition thereto, an installment account handling charge shall be allowed not to exceed Three Dollars (\$3) per month and such advance of cash or credit shall be for a period of either one (1) or two (2) months.

(3) On any cash advance of an amount in excess of Thirty-five Dollars (\$35) but not more than Seventy Dollars (\$70) there shall be allowed an acquisition charge for making the advance not in excess of one-tenth (1/10th) of the amount of the cash advance. In addition thereto, an installment account handling charge shall be allowed not to exceed Three Dollars Fifty Cents (\$3.50) per month and such advance of cash or credit shall be for a period of not less than one (1) month nor more than four (4) months.

(4) On any cash advance of an amount in excess of Seventy Dollars (\$70) but not in excess of One Hundred Dollars (\$100) there shall be allowed an acquisition charge for making the advance not in excess of one-tenth (1/10th) of the amount of the cash advance. In addition thereto, an installment account handling charge shall be allowed not to exceed Four Dollars (\$4) per month, and such contract of loan shall not contain a maturity date of less than one (1) month nor more than six (6) months.

(5) On such loans under this subsection, no insurance premium charges or any other charges of any nature whatsoever shall be permitted.

(6) The acquisition charge authorized herein shall be deemed to be earned at the time a loan is made and shall not be subject to refund. On the prepayment of any loan under this subsection the installment account handling charge shall be subject to the provisions of subsection (a) herein as it relates to refunds. Provisions of subsection (a) herein relating to default charges on loans and the extension of loans shall apply to loans made under this subsection.

Sec. 18. Insurance.

(a) A licensee may require, as additional security for any loan in excess of One Hundred Dollars (\$100), credit life insurance and credit health and accident insurance on a borrower under a group or individual policy subject to the following:

(1) The premium or identifiable charge collected from the borrower

for such insurance shall not exceed an amount equal to the maximum premium rates fixed by the State Board of Insurance under the article of the Insurance Code of Texas which defines credit life insurance and credit health and accident insurance and provides the State Board of Insurance shall make and file the schedule of reasonable and adequate maximum premium rates which may be charged by insurers on such insurance; nor in any event, shall the amount charged to the borrower by the licensee for such insurance exceed the amount of the premium paid to the insurer by the licensee for such insurance, as computed at the time the charge to the borrower is determined.

(2) The terms, provisions, coverage and form of any such insurance policies shall satisfy and be in accordance with the particular requirements of the respective applicable statutes;

(3) The maximum premium rates fixed by the State Board of Insurance and the other requirements of such article shall apply to insurance required in connection with loans exceeding One Thousand Dollars (\$1,000) with the same force it applies to insurance required in connection with loans of One Thousand Dollars (\$1,000) and less;

(4) If such article of the Insurance Code is amended or repealed or a similar statute is enacted under which the State Board of Insurance is required to or may fix or approve maximum premium rates for credit life insurance and credit health and accident insurance, the premium or identifiable charge collected from the borrower for such insurance shall not exceed the maximum premium rate so fixed or approved; not in any event, shall the amount charged to the borrower by the licensee for such insurance exceed the amount of premium paid to the insurer by the licensee for such insurance as computed at the time the charges to the borrower are determined;

(5) Such insurance shall be written and sold in accordance with the provisions of the Insurance Code of Texas which apply to group policies or the provisions of the Insurance Code of Texas which apply to individual policies; provided, however, that the maximum premium rates charged a borrower by a licensee in connection with loans made under this Act

for credit insurance on which such rates and/or compensation by commissions are not limited by law or fixed by the State Board of Insurance shall never exceed the maximum premium charges and/or commissions fixed by the State Board of Insurance for the sale of individual credit insurance policies with the same coverage;

(6) Any such insurance required under Section 18 shall be written for a time not in excess of one month beyond the term of the loan contract. The initial amount of credit life insurance whether written on a group or individual policy shall not exceed the total amount repayable under the contract of indebtedness and, where an indebtedness is repayable in substantially equal installments, the amount of insurance shall at no time exceed the scheduled or actual amount of unpaid indebtedness, whichever is greater. The total amount of indemnity payable by credit accident and health insurance whether written on a group or individual policy in the event of disability, as defined in the policy, shall not exceed the total amount repayable under the contract of indebtedness; and the amount of each periodic indemnity payment shall not exceed the scheduled periodic installment payment on the indebtedness; and

(7) Only one policy of life insurance and one policy of health and accident insurance may be in force with respect to any one loan contract at one time.

(b) A licensee may, in addition, require a borrower, on loans with a cash advance in excess of Three Hundred Dollars (\$300), to insure tangible personal property, when offered as security for a loan, against any substantial risk or loss, damage or destruction for an amount not to exceed the actual value of such property, and for a term and on conditions which are reasonable and appropriate considering the nature of the property and the maturity and other circumstances of the loan contract, in accordance with provisions of this subsection. Insurance on tangible personal property other than motor vehicles and trailers, which secures a loan as authorized by this subsection, shall include those coverages promulgated by the State Board of Insurance for fire and extended coverage on such property, and the total aggregate premiums

for such insurance shall not exceed the maximum premiums promulgated by the State Board of Insurance for such fire and extended coverage insurance on such property. Insurance on motor vehicles and trailers securing a loan, as authorized by this subsection, shall be written only for the standard coverages promulgated by the State Board of Insurance for such motor vehicles and trailers and at premiums which do not exceed the maximum premiums promulgated by the State Board of Insurance for such standard coverages on such motor vehicles and trailers; provided, however, that as to coverage and insurers specifically so authorized in advance by the commissioner, such insurance may be written at filed rates in excess of such rates promulgated by the State Board of Insurance only where the licensee, its officers, agents or employees, receive no benefit or compensation whatsoever, either directly or indirectly from such insurance, other than in payment of losses claimed to the property which was security for the loan.

(c) When insurance is written under this section, the licensee shall deliver, or cause to be delivered, to the borrower within thirty (30) days from the date of the loan contract, a certificate or other memorandum showing the coverages and the cost of such insurance, if any, to the borrower, the name of the insuring company and the policy number.

(d) In accepting insurance provided by this section as security for a loan, the licensee, its officers, agents, or employees may deduct the premiums or identifiable charges for such insurance from the proceeds of the loan, which premiums or identifiable charges shall not exceed those authorized by this section, and pay such premiums to the insurance company writing such insurance. Any gain, or advantage to the licensee, or any employee, officer, director, agent, general agent, affiliate or associate from such insurance or its provision or sale shall not be considered as additional interest or further charge in connection with any loan made under this Act except as specifically provided herein. Arranging for, and collecting an identifiable charge shall not be deemed a sale of insurance.

(e) No insurance shall be written under this section by a company which is not authorized to conduct

such business in this state. The licensee shall not by any method, directly or indirectly, require the purchase of insurance from any agent or broker designated by the licensee, nor shall the licensee decline existing coverages or substantially similar benefits that comply with the provisions of this section. In the event of any violation of this section by a licensee, or should any additional charge be made for insurance other than that authorized in this section, all charges made for insurance shall be deemed as interest, and this provision is supplemental to and not exclusive of all other remedies and penalties hereunder.

Sec. 19. Licensee's Duty to Borrower.

(a) When a loan is made, the licensee shall deliver to the borrower, or, if more than one, to one of them, a copy of the note and all other documents signed by the borrower and a statement in writing in the English language showing the following information:

(1) The name and address of the borrower and of the licensee;

(2) The date and the amount of the cash advance, the maturity date, and the agreed schedule of payments or a description of such payments;

(3) The nature of the security, if any;

(4) The charges contracted for as authorized by this Act;

(5) The charges for default and deferment authorized by this Act;

(6) The type of insurance, if any, provided in connection with the loan, and the premiums for such insurance;

(7) A statement showing the total amount, in dollars and cents, of charges contracted for at the time the loan is made, or the percentage that the total charges bear to the total amount of the loan, expressed as the nominal rate on the average outstanding unpaid balance on the principal amount of the loan.

If the note or loan contract shows the information required above, a copy of such note or loan contract may be delivered rather than a separate statement.

(b) The licensee shall give a receipt to the person making a payment on any loan.

(c) At any time during regular business hours, the licensee shall permit any loan to be prepaid in full, or, if less than a prepayment in full,

in an amount equal to one or more full installments.

(d) When a loan is repaid in full, the licensee shall cancel and return to the borrower, within a reasonable time, any note, assignment, mortgage, deed of trust, or other instrument securing such loan which no longer secures any indebtedness of the borrower to the licensee.

Sec. 20. Prohibited Practices.

(a) No licensee shall take a lien upon real estate as security for any loan made under this Act, except such lien as is created by law upon the recording of an abstract judgment.

(b) No licensee shall take any confession of judgment or any power of attorney running to himself or to any third person to confess judgment or to appear for a borrower in a judicial proceeding.

(c) No licensee shall take any promise to pay or loan obligation that does not disclose the amount of the cash advance, the time for which it is made, the schedule of payments, the maturity date, the amount of authorized charges and the types of insurance, if any, provided in connection with the loan, and the premiums for such insurance.

(d) No licensee shall take any instrument in which blanks are left to be filled in after the loan is made.

(e) No licensee shall, in an attempt to collect an unpaid amount of loan, engage in practices which cause physical injury to any person who owes said licensee said amount of loan, and such persons who so owes, when such attempts are made, shall have a cause of action against any such licensee individually and severally to recover for such physical injury and this cause of action shall be cumulative of all other causes of action for such physical injury for such practices.

(f) No licensee shall grant a loan in one office to any borrower or to the spouse of any such borrower when such borrower or spouse already has a loan in another office operated by the same entity or, by an affiliate, parent, subsidiary or under the same ownership, management or control, whether partial or complete. If such loans are granted, in violation of this provision, the rates shall be adjusted to rates applicable under this Act to a single loan of equivalent amount.

Sec. 21. Limitation of Loan Period.

No licensee shall enter any contract of loan under this Act, under which the borrower agrees to make any scheduled payment of principal more than thirty-seven (37) calendar months from the date of making such contract.

Sec. 22. Wage Assignments Prohibited.

Assignment of wages shall be prohibited for the purposes of securing loans made under this Act.

Sec. 23. Hearings and Review.

(a) At all hearings before the commissioner under the provisions of this Act, parties in interest shall have the right to appear in person and by counsel, and to present oral and written evidence. If requested by a party in interest, a record shall be made of all evidence offered by such party and all other evidence considered by the commissioner.

(b) Any party in interest aggrieved by any order, ruling or decision of the commissioner may, within thirty (30) days after the date of entry, file in the District Court of Travis County, Texas, a petition against the commissioner officially as defendant, alleging therein in brief detail the order, ruling or decision complained of and praying for a reversal or modification thereof. The commissioner shall within twenty (20) days after the service upon him of such petition, certify to said District Court the record of the proceedings to which the petition refers, or such portion thereof as may be required by the petitioner. The cost of preparing and certifying such record shall be paid to the commissioner by the petitioner and taxed as a part of the costs of the case. Upon the filing of an answer by the commissioner, the case before the District Clerk shall be at issue, without further pleadings, and upon application of either party shall be advanced and heard without further delay. The order of the commissioner shall be sustained unless the hearing was conducted in a manner contrary to the rudiments of a fair hearing; or the order was based upon an error of law which affected petitioner's substantial rights; or was arbitrary, capricious or unreasonable; or the findings of fact were not reasonably supported by substantial evidence in the record, considered as a whole, adduced before the commissioner.

Provided, however, that any appeal to the District Court of Travis County, Texas, of an order, ruling or decision of the commissioner, refusing to grant a license or licenses to an applicant or revoking the license or licenses of a licensee, such appeal shall be upon trial de novo as that term is used in appealing from justice of the peace court to county courts.

(c) Upon a showing of good cause therefor by a party in interest, the commissioner or the court may enter an order staying, pending appeal, the effect of an order of the commissioner from which the party in interest desires to appeal.

Sec. 24. Pre-existing Contracts.

No modification, amendment, or repeal of this Act or any part thereof shall impair or affect the obligation or any pre-existing lawful contract.

Sec. 25. Amending Chapter 144, Acts of the 48th Legislature, Regular Session, 1943.

Chapter 144, Acts of the 48th Legislature, Regular Session, 1943, compiles as Article 4646b, Vernon's Annotated Civil Statutes of Texas, is hereby amended to read as follows:

"Article 4646b.

Section 1. The State of Texas through its Attorney General, or any district or county attorney, may institute a suit in the district court to enjoin any person, firm or corporation, or any officer, agent, servant or employee of such person, firm or corporation who is engaged in the business of habitually loaning money for the use and detention of which usurious interest has been charged against or contracted to be paid by the borrower, from demanding, receiving or by the use of any means attempting to collect from the borrower usurious interest on account of any loan, or from thereafter charging any borrower usurious interest, or contracting for any usurious interest. All persons, firms or corporations, and their agents, officers, servants and employees similarly engaged in making loans of money as herein defined who reside in the same county, may be joined in a single suit and no plea of misjoinder of parties defendant shall ever be available to any defendant in such suit.

Section 2. By the term 'habitually' as used in this Act is meant the making of as many as three (3) loans on which or in connection with which

usurious interest is charged or contracted for within a period of six (6) months next preceding the filing of any such suit.

By the term 'usurious interest' as used in this Act is meant interest at a rate in excess of ten per centum (10%) per annum, unless as to any class of credit transactions a higher rate of interest is fixed, as in the Texas Regulatory Loan Act, Acts of the 58th Legislature, Regular Session, 1963, or other Acts fixing maximum interest rates, then as to such transactions, the term 'usurious interest' means interest at a rate in excess of that allowed by law.

Section 2a. Nothing in this Act shall in any way modify, alter or change any valid provision of Article 8 of Chapter 5 of House Bill No. 79, Acts of the Regular Session, 48th Legislature, nor shall anything in this Act prevent charging of any actual and necessary expense now or hereafter permitted and authorized by law, and such shall not be considered interest.

In the trial of any application for injunction under this Act there shall exist a prima facie presumption that the actual and necessary expenses of making any such loan was One Dollar (\$1) for each Fifty Dollars (\$50), or fractional part thereof loaned; but this prima facie presumption shall extend only to the first note or debt owing at the same time by an individual to any person, firm, corporation, partnership or association, and shall not apply to any renewal or extension thereof unless the original note or debt and all extensions thereof were for a period of not less than sixty (60) days.

Section 3. In any such suit venue shall lie in the county of the residence of a defendant, or in a county where such business of loaning money is being conducted by such defendant or in the county where such contract was entered into by the borrower.

Section 4. If any section, sentence, phrase or part of this Act shall be held unconstitutional, such unconstitutionality shall not affect the validity of the remaining portions thereof.

Sec. 26. Amending Article 5069, Revised Civil Statutes of Texas, 1925.

Article 5069, Revised Civil Statutes of Texas, 1925, is hereby amended to read as follows:

"Article 5069. Definitions.

'Interest' is the compensation allowed by law or fixed by the parties to a contract for the use or forbearance or detention of money; 'legal interest' is that interest which is allowed by law when the parties to a contract have not agreed upon any particular rate of interest; and 'conventional interest' is that interest which is agreed upon and fixed by the parties to a written contract. The maximum rate of interest shall not exceed that specifically fixed by the Legislature as in the Texas Regulatory Loan Act, Acts of the Fifty-eighth Legislature, Regular Session, 1963, or other legislation; provided, however, in the absence of such legislation fixing maximum rates of interest, a greater rate of interest than ten per centum (10%) per annum shall be deemed usurious. 'Usury' is interest in excess of the amount allowed by law; all contracts for usury are contrary to public policy and shall be void."

Sec. 27. Amending Article 5071, Revised Civil Statutes of Texas, 1925.

Article 5071, Revised Civil Statutes of Texas, 1925, is hereby amended to read as follows:

"Article 5071. Limit on Rate.

Except where otherwise specifically provided by the Legislature, as in the Texas Regulatory Loan Act, Acts of the 58th Legislature, Regular Session, 1963, the parties to any written contract may agree to and stipulate for any rate of interest not exceeding ten per centum (10%) per annum on the amount of the contract; and except as above provided in this Article all other written contracts whatsoever, which may in any way, directly or indirectly, provide for a greater rate of interest shall be void and of no effect for the amount or value of the interest only; but the principal sum of money or value of the contract may be received and recovered."

Sec. 28. Amending Article 5073, Revised Civil Statutes of Texas, 1925.

Article 5073, Revised Civil Statutes of Texas, 1925, is hereby amended to read as follows:

"Article 5073. Action on Usurious Rate.

Within four (4) years after the time that a greater rate of interest than that fixed in the Texas Regulatory Loan Act, Acts of the Fifty-

eighth Legislature, Regular Session, 1963, or by some other Act of the Legislature, but, if no other rate is so fixed, than ten per centum (10%) per annum, shall have been received or collected upon any contract, the person paying the same or his legal representative may by an action of debt recover double the amount of such interest from the person, firm, or corporation receiving the same and reasonable attorney's fees to be set by the court. Such action shall be instituted in any court of this State having jurisdiction thereof, in the county of the defendant's residence, or in the county where such usurious interest shall have been received or collected, or where said contract has been entered into, or where the parties who paid the usurious interest resided when such contract was made."

Sec. 29. Certain Statutes Inapplicable.

Chapter 144, Acts of the 48th Legislature, Regular Session, 1943, compiled as Article 4646b, Vernon's Annotated Civil Statutes of Texas, and Articles 5069, 5071 and 5073, Revised Civil Statutes of Texas, 1925, where inconsistent with this Act shall not apply to licensees under this Act, nor shall the provisions of Chapter 165, Acts of the 42nd Legislature, Regular Session, 1931, as amended, compiled as Article 1524a, Vernon's Annotated Civil Statutes of Texas, apply to such licensee.

Sec. 30. Statutes Repealed.

Chapter 472, Acts of the 52nd Legislature, Regular Session, 1951, compiled as Article 1524a-1, Vernon's Annotated Civil Statutes of Texas, Chapter 17, Acts of the 40th Legislature, First Called Session, 1927, as last amended by Chapter 195, Acts of the 49th Legislature, Regular Session, 1945, compiled as Article 6165a, Vernon's Annotated Civil Statutes of Texas and Article 1129a, Vernon's Annotated Penal Code of Texas); and Subsections (5) and (6) of Article 19.01, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, are hereby repealed. All other laws or parts of laws inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency, except as otherwise provided in this Act, and except that nothing herein contained in this Act shall af-

fect those laws specified and exempted in Section 6 herein. Provided further, that the amendment or repeal of any law of this State by this Act shall not affect any right accrued or established, or any liability or penalty incurred under the provisions of any of such other laws prior to the amendment or repeal thereof.

Sec. 31. Severability.

If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Sec. 32. Emergency Clause.

The fact that the voters of Texas adopted by an overwhelming majority a Constitutional Amendment on November 8, 1960, directing the Legislature to classify loans and lenders, license lenders, define interest and regulate lenders to prevent other abuses, creates an emergency and a public necessity that the Legislature carry out this mandate of the people and creates a public necessity and emergency that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and said Rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

The report was read.

Senator Patman moved that further action on the Conference Committee Report on S. B. No. 15 be postponed until Monday, May 13, 1963, following the Morning Call.

(Senator Herring in the Chair.)

Senator Reagan moved to table the motion to postpone.

Question on the motion to table, Yeas and Nays were demanded.

The motion to table the motion to postpone prevailed by the following vote:

Yeas—17

Blanchard	Hall
Calhoun	Hardeman
Cole	Harrington
Crump	Herring

Moffett	Rogers
Moore	Schwartz
Parkhouse	Spears
Reagan	Watson
Richter	

Nays—11

Aikin	Krueger
Bates	Owen
Creighton	Patman
Dies	Strong
Kazen	Word
Kennard	

Absent

Colson

Absent—Excused

Hazlewood	Ratliff
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Question—Shall the Conference Committee Report on S. B. No. 15 be adopted?

Motion to Adjourn

Senator Aikin moved that the Senate stand adjourned until 10:30 o'clock a.m. on Monday, May 13, 1963.

Question on the motion to adjourn, Yeas and Nays were demanded.

The motion to adjourn was lost by the following vote:

Yeas—13

Aikin	Kennard
Bates	Krueger
Colson	Moffett
Creighton	Owen
Dies	Patman
Hardeman	Word
Kazen	

Nays—16

Blanchard	Parkhouse
Calhoun	Reagan
Cole	Richter
Crump	Rogers
Hall	Schwartz
Harrington	Spears
Herring	Strong
Moore	Watson

Absent—Excused

Hazlewood	Ratliff
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Conference Committee Report on S. B. 15

The Senate resumed the consideration of the pending business, same be-

ing the adoption of the Conference Committee Report on S. B. No. 15.

Question—Shall the Conference Committee Report on S. B. No. 15 be adopted?

Adjournment

Senator Moffett moved that the Senate stand adjourned until 10:30 o'clock a.m. on Monday, May 13, 1963.

Question on the motion to adjourn, Yeas and Nays were demanded.

The motion prevailed by the following vote:

Yeas—15

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moffett
Colson	Owen
Creighton	Patman
Dies	Word
Hardeman	

Nays—14

Cole	Reagan
Crump	Richter
Hall	Rogers
Harrington	Schwartz
Herring	Spears
Moore	Strong
Parkhouse	Watson

Absent—Excused

Hazlewood	Ratliff
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Accordingly the Senate, at 5:40 o'clock p.m., adjourned until 10:30 o'clock a.m. on Monday, May 13, 1963.

Welcome Resolutions

S. R. No. 517—By Senator Herring: Extending welcome to students and teacher of Texas Government Class of T. N. Porter Junior High School of Austin.

S. R. No. 518—By Senator Herring: Extending welcome to students and teacher of Northside Taylor Elementary School.

S. R. No. 520—By Senator Aikin: Extending welcome to members of Graduation Class and teachers of Deport High School.

Memorial Resolutions

S. R. No. 521—By Senators Schwartz,

Dies and Parkhouse: Memorial resolution for Dr. George William Nordholtz Eggers.

S. R. No. 522—By Senator Schwartz: Memorial resolution for Dr. Wendell Daniel Gingrich.

SIXTY-SEVENTH DAY

(Monday, May 13, 1963)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

Absent—Excused

Hall

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the preceedings of Thursday, May 9, 1963, was dispensed with and the Journal was approved.

Leave of Absence

Senator Hall was granted leave of absence for today on account of important business on motion of Senator Word.

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 13, 1963.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 326, A bill to be entitled "An Act amending Section 3 of House Bill 352, Acts of the Forty-fifth Legislature, Regular Session, 1937, Chapter 436, Page 893, as amended (codified as Article 5221c of Vernon's Revised Texas Statutes) relating to the inspection of boilers; revising the list of boilers exempt from the provisions of the Act; and declaring an emergency."

H. B. No. 356, A bill to be entitled "An Act giving preference to bids made by firms resident in Texas for the sale of supplies, material or equipment in contracts made by agencies of the State for the purchase of supplies, material or equipment; requiring payment of a fee by non-resident firms as a condition precedent to submission of bids to public agencies; providing that the provisions of this Act shall be cumulative; containing a severability clause; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk House of Representatives

Senate Resolution 524

Senator Hardeman offered the following resolution:

Whereas, Today is the birthday of our esteemed colleague, Senator George Parkhouse; and

Whereas, It is the desire of the Senate to extend greetings and felicitations to him on this anniversary of his birth; now, therefore, be it

Resolved, That we wish him happy birthday and many happy returns of the day.

HARDEMAN

Signed—Preston Smith, Lieutenant Governor; Aikin, Bates, Blanchard, Calhoun, Cole, Colson, Creighton, Crump, Dies, Hall, Harrington, Hazlewood, Herring, Kazen, Kennard, Krueger, Moffett, Moore, Owen, Parkhouse, Patman, Ratliff, Reagan, Richter, Rogers, Schwartz, Spears, Strong, Word, Watson.

The resolution was read.

On motion of Senator Colson and